



TOWN OF BOLTON, MASSACHUSETTS

MASTER PLAN 2006



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Committee Overview: The Master Plan Committee was comprised of members from a variety of backgrounds. Five served on the Planning Board, and between them served in each of the last twenty years. Some served on the Board of Selectmen, School Committee, Florence Sawyer School Building Committee, Zoning Board of Appeals and Conservation Commission. Three were new to town government, and one was a new resident. The two liaisons have each served over twenty years on town boards.

Thank You to members of the following Town committees and groups who met with the MPC during the report process and provided input:

Bolton Affordable Housing Partnership

Library Building Committee

Board of Selectmen

Parks & Recreation Commission

Bolton's Farmers

Planning Board

Conservation Commission

Police Station Building Committee

Council on Aging

Public Ways Safety Committee

Cultural Council

Town Hall Employees

Historical Commission

Thanks to the Selectmen and Planning Board for launching this master planning effort and helping guide it. Thanks to our predecessor, the Long Range Planning Committee, whose volunteers studied Bolton's long range direction and provided important data, ideas and momentum. Thanks to all the Bolton citizens who provided input to the plan, at meetings and in daily suggestions. Photos on pages 7, 10, 53, 56, 72 and 89, courtesy of Pat Westwater-Jong. Thanks to Betsy Taylor-Kennedy for editing the plan. And special thanks to Bolton's first Town Planner, Nat Tipton, for steadily guiding the process and the plan.

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1. INTRODUCTION

1.1 Grappling with Growth

In 2004, the Town of Bolton appointed a Master Plan Committee (MPC) to consider where Bolton will be headed over the next 20 years, and suggest what can be done in the future so development does not overwhelm the rural vistas and small-town character that attract residents and visitors. The MPC has built on work done by the Long Range Planning Committee, hired a consultant, been assisted by Bolton's new town planner, met with many town groups, and run two public workshops.

Any long term view of Bolton has to grapple with growth, as Bolton is one of the fastest growing towns in the state per capita. The rapid population growth has caused an urgent need for school space and other town services, which in turn has caused an escalation of town debt and taxes. In the last twenty five years Bolton's population grew nearly 80%, property taxes per person grew more than four fold, and town debt per person grew more than twelve fold. High growth will continue as more houses are built on traditional lots, and will accelerate in the wake of the many higher density housing projects now in the planning and permitting stages.

Bolton's growth cannot be stopped, as the town lies in the path of Boston's sprawl and still has a lot of undeveloped land. The goal is to moderate this growth, not stop it; much of the Master Plan is about moderating this growth, and coping with its impact. The two most important strategies for tempering this growth are to efficiently meet the State's affordable housing requirements, and to remove open land from development when it can be done economically. These two strategies are covered in **Chapters 5 and 6**. But first, the report will describe a vision for Bolton in 20 years, and then review the recent and projected growth data to see just how fast Bolton has been growing.

1.2 The Community Master Planning Process in Bolton

Creating a Master Plan is a process that starts with data collection and an understanding of general goals, and leads toward specific planning proposals. Throughout all steps of the process, community residents guide the plan by identifying important issues and challenges in the town, setting goals, and responding to possible planning strategies. In the case of the Bolton Master Plan, public input was solicited directly—in a town-wide survey conducted in 2002 and two public meetings in Spring 2005—and through the representative Master Plan Committee (MPC), which includes past and present members of town boards and commissions, as well as residents and business people within the town. The MPC made a conscious decision to reduce the size of the Master Plan, and rather than a traditional boilerplate report that could be used for planning "Anytown, USA", the document better reflects the personality of Bolton. Technical assistance was provided by Daylor Consulting Group, Inc. of Braintree, Massachusetts and the Bluestone Planning Group of Cambridge, Massachusetts, both of which worked with the Committee to help frame key issues and opportunities for public discussion, lead public meetings, develop Master Plan recommendations, and prepare reports, maps and graphics.

1.3 Key Findings

A number of important themes came to light through the master planning process following the analysis of background research, the investigation of the most recent planning tools available to towns like Bolton, and solicitation of public opinion. These key findings include:

- Bolton has been one of the fastest growing towns in our area, and this is projected to continue through 2030.
- In a recent survey, Bolton residents identified three top priorities: moderating tax growth, providing good schools, and preserving rural character. The pressure of population growth makes it difficult to satisfy all of these priorities.
- Two proactive moves that Bolton can make to significantly slow population growth over the next twenty years are: to efficiently meet the State's affordable housing requirements, and to remove land from development when it can be done economically.
- To meet the State's affordable housing requirements, developers should be encouraged to build 40B projects with an increased percentage of affordable units, rather than just the 25% minimum requirement. Some multi-family rental projects count 100% toward the State requirements and also provide a range of housing for residents.
- The Town should continue its practice of preserving open space, especially landmark parcels, at a relatively low cost per acre, as it both preserves Bolton's rural character and slows the growth of taxes from what they would become if the land was developed into housing.
- The Bolton age groups that are growing fastest are families with student-age children. It would provide a more diverse town, and help taxes, if housing for other age groups and life stages, both young and old, were encouraged.
- Encouraging business growth does not greatly reduce residential tax bills, as even doubling all the business in town would only lower residential taxes 5%. Many towns along I-495 that have added lots of business use do not have lower tax bills.
- Businesses compatible with Bolton's character should be encouraged. Agriculture should be fostered by initiating a Bolton Agricultural Commission and Right-to-Farm bylaw.
- Bolton should try to protect its most important landmarks and natural resources, including its six large unprotected farms, three forests, and a potential future water source.
- Bolton's historic resources should be protected by establishing a local historic district along Main Street in Bolton Center.
- Bolton should pass the CPA (Community Preservation Act) to tap into a major state funding source that can be used for acquisition and preservation of open space, historic buildings and landscapes, and the creation and support of affordable housing.

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- Enhanced Zoning Bylaws can further improve our open space zoning, create design review guidelines to encourage compatible commercial buildings, and control modern uses that have been created since the Table of Uses was last updated, such as the “big box” store.
- A temporary Bolton School Needs Assessment Committee should evaluate when and where new classrooms and school space will be needed to meet the expected student population growth. As a result of the MPC’s suggestion, this committee was appointed in September 2005. Refer to **Chapter 10** for this committee’s findings.
- A permanent Bolton Capital Planning Committee should be formed to advise on all capital projects including library, police station, town hall, recreation space, school buildings and open space protection. This would provide more perspective across all the competing investment needs of a very rapidly growing town.

1.4 Report Organization

Following this brief introduction to the Master Plan, Bolton’s Vision and Goals are summarized in **Chapter 2** and the major issues facing Bolton are covered in **Chapter 3**. The Plan commences a detailed discussion of the strategies for moving forward in **Chapters 5 through 11**. Finally, **Chapter 12** outlines the suggested steps towards implementation of the plan, with an evaluation program to help the Town measure its progress.

1.5 How to Use the Plan

This plan is a compilation of many hours of research and analysis on issues specific to Bolton and the town’s future. While this document is not law, town officials and committees should refer to it for strategies that will help Bolton progress towards the vision shared by its citizens. As a policy document, the Plan provides guidance on proper execution of the strategies and the Implementation Plan in **Chapter 12**. Over time certain strategies may prove to be more successful than others; subsequently, the town should revisit this document in five years both to gauge its progress towards achieving the goals and vision outlined in this Plan and revise elements that may be outdated.



Bolton team at the Firemen’s Muster

2. A VISION FOR BOLTON

2.1 Vision Statement

This Vision Statement was developed by the MPC and was reviewed by the townspeople who attended the March 2005 public meeting. The community's vision for Bolton 20 years from now is to:

- Maintain Bolton's increasingly unique small-town character, including its volunteer community spirit, working farms, open spaces and historic places.
- Provide strong schools and municipal services while planning and managing the growth of our population.
- Provide diversity in housing to satisfy a range of incomes, age groups and life stages.
- Moderate the growth of taxes.
- Provide meeting places and opportunities to foster and support the strong sense of community that is part of Bolton's appeal.

2.2 Goals

Based upon the above Vision Statement, the town will use this Master Plan as a guide for future growth and shall strive to:

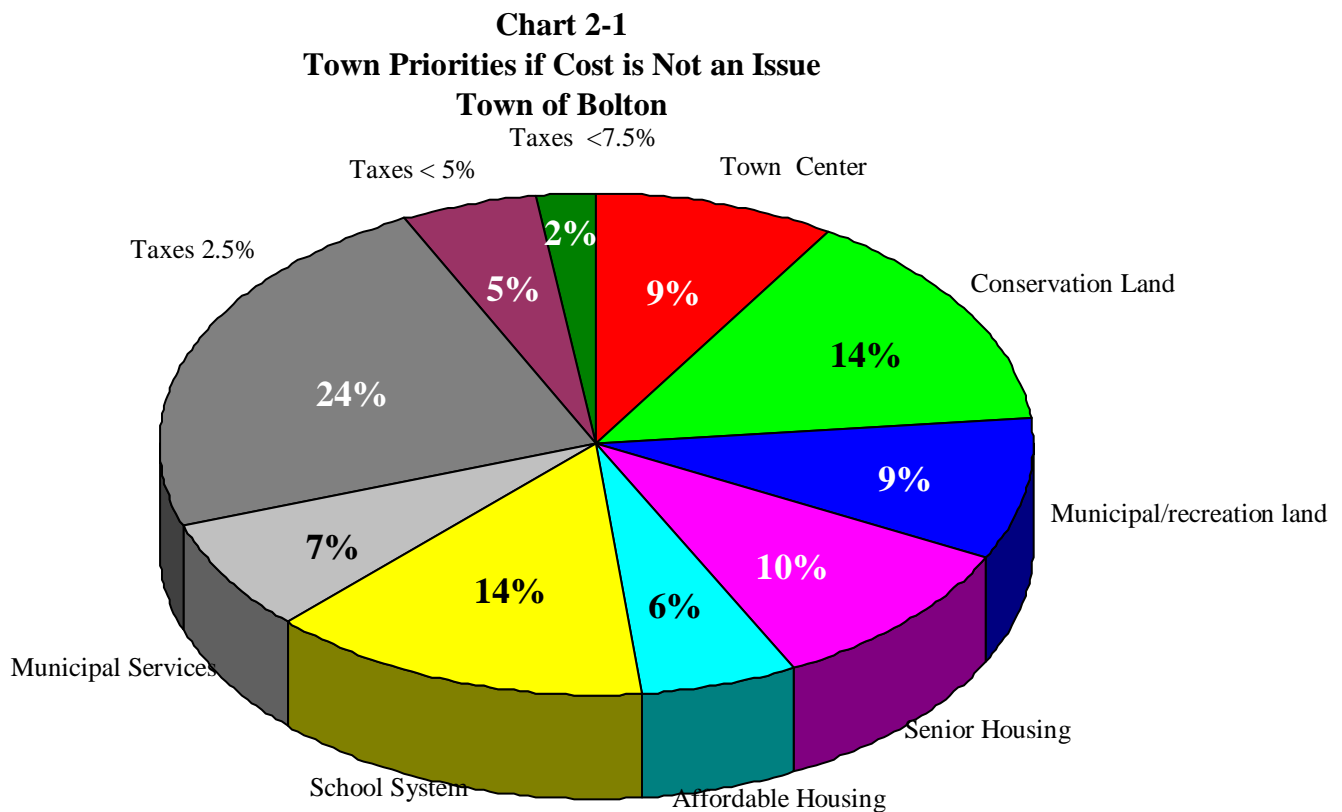
- Moderate population growth by implementing housing and land use strategies outlined in Chapters 5 & 6.
- Continue to protect open space by purchasing valuable undeveloped parcels at a reasonable cost, and by improving the Farmland and Open Space Planned Residential Development (FOSPRD) bylaw.
- Reduce the growth rate of taxes in the next two decades.
- Provide high quality public facilities including schools, a library, town offices and police station that meet the town's needs.
- Create Local Historic Districts to emphasize and preserve the historical value of Bolton's town center and other significant areas.
- Encourage economic development in the existing Business zones. Business development should focus on activities that support, and are desired by, the community, such as small-scale commercial enterprises, agricultural-tourism (wineries, orchards, and farm stands, etc.), outdoor recreation and the development of small, independently-owned shops and businesses rather than franchises.

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- Maintain our status as certified under the State's Planned Production guidelines so that we may maintain local control over comprehensive permit projects in our community.
- Provide a wider range of housing types for all residents.
- Enhance the town center and foster community spirit by providing a place to gather and hold civic events. Manage traffic flow using crosswalks, sidewalks and traffic-calming devices to provide safe opportunities for walking and bicycling, especially within the Town Center.

2.3 Survey Data

The Town of Bolton conducted a survey of its residents between December 2001 and February 2002. This survey received a very high response rate and can be considered an accurate gauge of the opinions of the town's residents. Not only does it show what issues the residents generally agree on, but it also points to the differences of opinion that suggest where tradeoffs will need to be made. In particular, the results from the survey suggest that residents want the Town to balance the need to reduce property tax growth while preserving open space and expanding the schools, as shown in **Chart 2-1**.



Source: Bolton Town Survey, 2002

With regard to open space, many respondents felt that the town should actively pursue preservation through purchase and development restrictions (see **Table 6-3**).

2.4 Community

Bolton has a very active and vocal community that is interested in the issues addressed in this Master Plan. As noted above, the town survey of 2002 received a 42% response rate, which indicates the high level of concern that residents place on quality of life and the decisions that the Town makes. This plan was created with thoughtful consideration by the Master Plan Committee as they sought to gain a comprehensive understanding of the townspeople's opinions. To that end, the committee invited members from various town boards and organizations to discuss their main concerns at their weekly meetings. Town Boards and Committees had an opportunity to review and comment on the plan before publication. They also submitted commentary in local newspapers and held two public forums to give residents the opportunity to listen to ideas about the town's future and provide feedback. The MPC hopes the end result is a plan that represents the full input of the community at large.



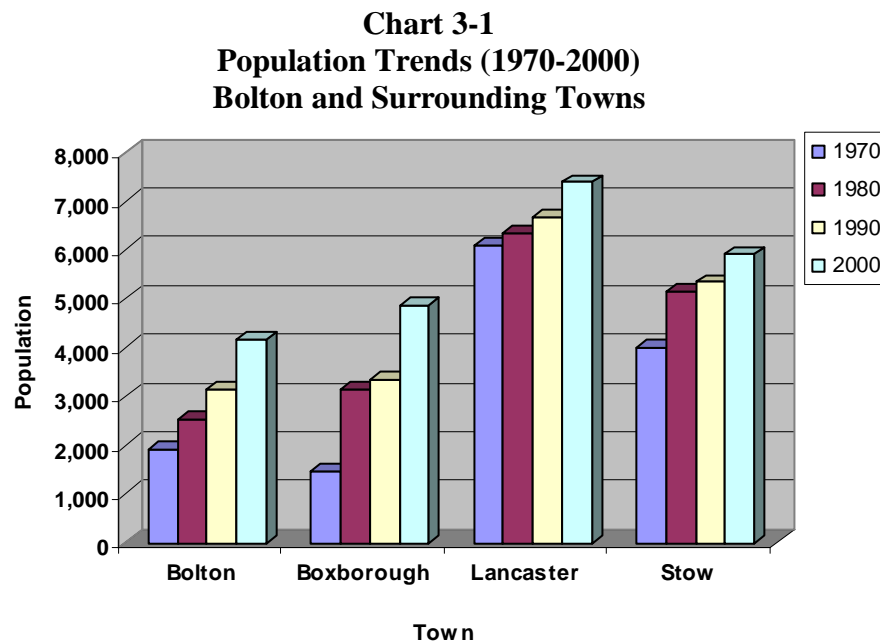
Bolton Little League Parade

3. RECENT GROWTH

This Chapter provides an overview of Bolton's land use history and projected future use, specifically population and housing changes. Historically, Bolton's land use policy simply focused on single use zoning, but as the town's development and build-out analyses demonstrate the consequence of such zoning, more creative and comprehensive strategies are called for. These consequences include exhausted public services, increased residential taxes, and depletion of open space. Recent development trends include the use of the State 40B statute, which allows increased density of development on a given site. Though the statute was introduced in 1969, 40B projects were not included in the State build-out study of 2000. Without new and comprehensive land use strategies, future growth may eventually overwhelm Bolton and the town will lose much of the rural character, agricultural heritage and small-town feel.

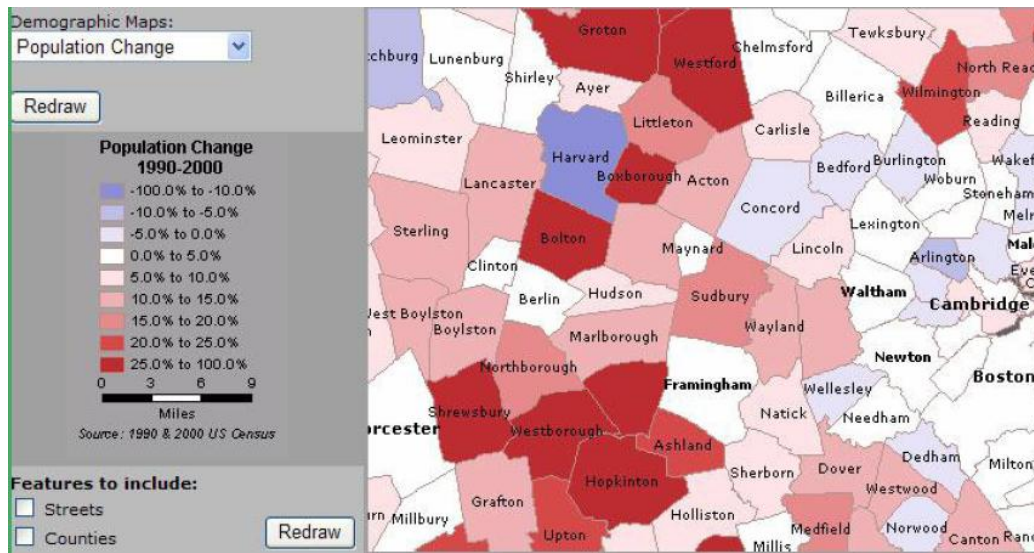
3.1 Past Population Changes

Chart 3-1 compares Bolton's population trends to those of the other towns in the region: Boxborough, Lancaster and Stow. In the past decade, Bolton's population has grown significantly faster than surrounding communities and the region in general (see **Figure 3-1**). The 2000 population in Bolton was 4,148, an increase of 117% since 1970. During the same time, other towns in the area, such as Lancaster and Stow grew by only 21 percent and 48 percent, respectively. The only other town in the immediate area that experienced faster population trends is Boxborough, which saw an increase of 235 percent. Aside from its appeal and location, Bolton's population was smaller than the surrounding towns to begin with and had a significant amount of unbuilt land on which to grow. Though Bolton has grown, the town is still smaller than its neighbors.



Source: U.S. Census, 1970-2000.

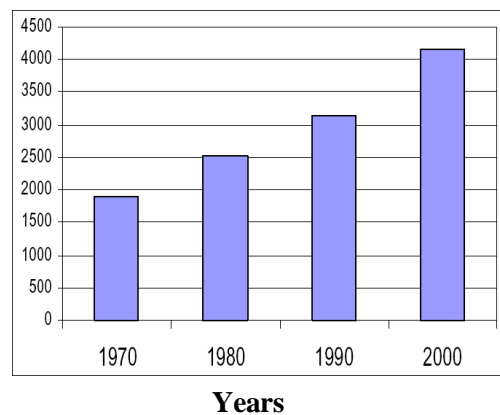
Figure 3-1
Regional Population Growth
Boston and Western Suburbs



Source: <http://www.massstats.com/>

Bolton's Growth Rate

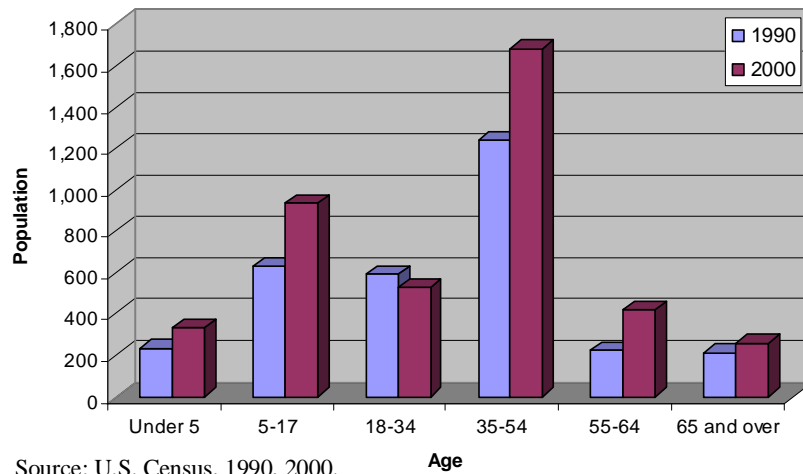
Chart 3-1 also shows the Town of Bolton's population growth by decade since 1970; an enlarged graphic is provided at right. Bolton's growth rate was steady through the 1970s and 1980s, (approximately 28%) but accelerated during the 1990s. In each of the first two decades, the town's population grew by approximately 600 people. During the 1990s, the population increased by 1,014 people, or 32 percent. The last decade accounts for just over 45 percent of the population growth that occurred in these three decades.



This population growth and pressure has had, and will continue to have, an impact on land use patterns. Increases in population inevitably result in more open land being converted to subdivisions and, in general, leads to more land being used for commercial uses and other services to support the increase in population. While Bolton has taken some steps to mitigate the impacts of this population increase, additional and more comprehensive strategies will be needed to address these issues through the future.

While the population of Bolton is increasing, this change affects a few age groups in particular. As shown in **Chart 3-2**, the fastest growing segments of the population are in the 5 to 17, 35 to 54, and 55 to 64 age groups who saw 48 percent, 36 percent, and 87 percent increases, respectively, between 1990 and 2000. These persons accounted for 93 percent of the total population growth during this period. An interesting point to note is the subsequent decrease in the 18 to 34 population (11% or 66 people). This is the age group that places little or no burden on Bolton's school system and they are underrepresented in the community.

Chart 3-2
Population by Age (1990 and 2000)
Bolton

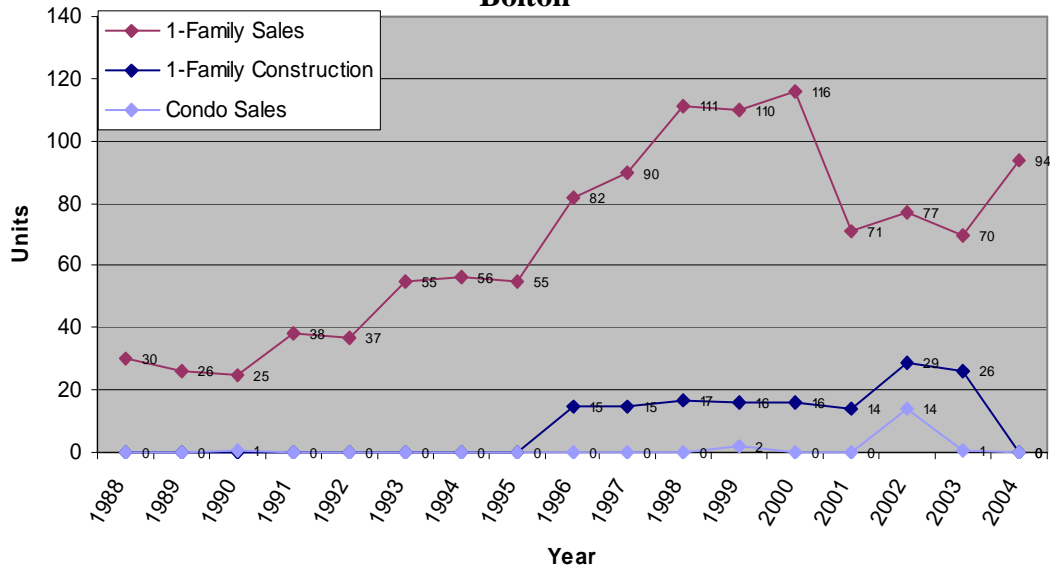


The key age groups show that established families and seniors are moving into town, but young adults are moving out. Some reasons for the latter trend are that young adults leave home for college and subsequently settle elsewhere, and first-time home buyers are generally unable to afford Bolton homes. These trends have a significant impact on Bolton. For example, growth in the under 5 and 5 to 17 age groups indicates that the schools have been, or will soon be, required to accommodate an increasing number of students. Furthermore, this growth pattern dictates a pattern of housing demand that is sacrificing Bolton's open space. Families with children, the predominant population group moving to Bolton, are more likely to look for single-family homes. However, seniors and young adults have different housing needs. Seniors will require a range of housing options, such as assisted living centers, apartments and smaller homes to fit their lifestyles and the young adult population typically demands smaller, denser housing, such as apartments and townhouses.

Residential development in Bolton between 1985 and 1999 occurred at an average rate of 46 acres per year. Developed land in Bolton, which includes all industrial, commercial, and residential land use, increased from 8.5 percent of the town's total land in 1971 to 18 percent in 1999. Nearly all of this was residential development. As shown in **Chart 3-3**, the number of housing units sold in Bolton took a sharp dive in 2001, at a time when prices were continuing to increase. After three years of consistent housing sales, the number of units sold has risen again in 2004. In 2002, the town instituted a Rate of Development Bylaw to limit the number of building permits issued to 37 per year. While this is a common tool used by towns, the Rate of Development bylaw is a temporary measure, and, per state requirements, it will be revoked when the Master Plan is completed.

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Chart 3-3
Number of Homes Sold and Constructed (1988-2004)
Bolton

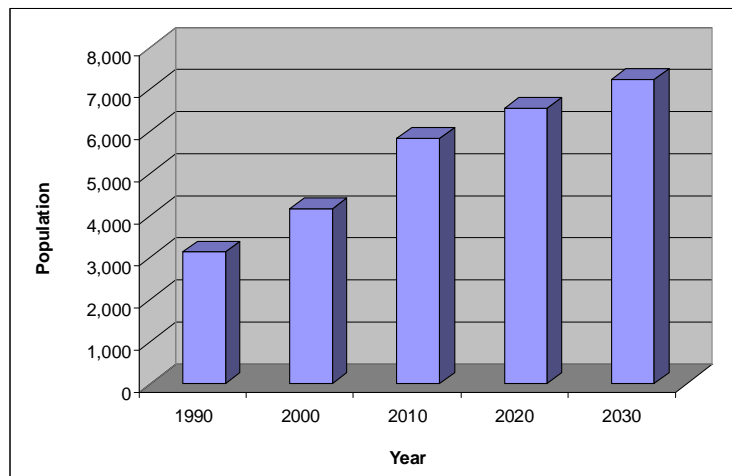


Source: The Warren Group, May 12, 2005

3.2 Projected Population Changes

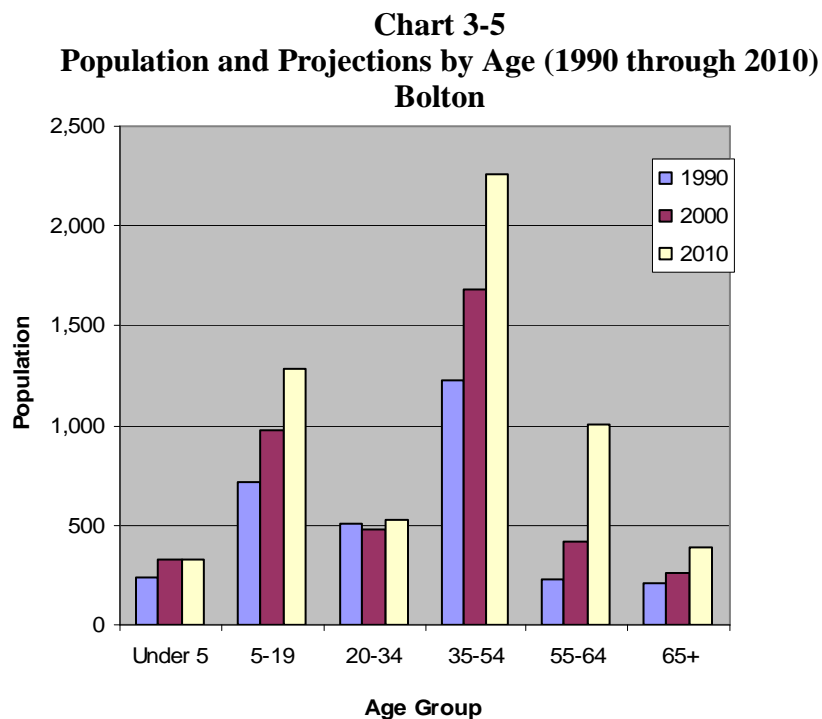
As noted above, Bolton's population trends indicate that the town experienced a growth period during the 1990s, primarily through an increase of established families with children, and seniors. If past trends are indicative of future population growth, the town is likely to see overall growth in all age cohorts through at least the year 2010. According to forecasts published by the Metropolitan Area Planning Council, Bolton's year 2000 population is projected to increase by 3,071 persons (74 percent) by the year 2030 (see **Chart 3-4**). The latest census (January 2006) shows Bolton's current population is 4,929.

Chart 3-4
Total Population and Projections (1990 through 2030)
Bolton



Source: MAPC Population Forecasts, for MAGIC region, March 2003 (partially updated in January 2006).

When further analyzed to determine the population changes in various age cohorts, an interesting shift is projected to occur between 2010 and 2020, continuing through 2030. Overall, all age groups will see an increase, but the primary age groups affecting the growth trends prior to and through 2010 are in the 5 to 19, 35 to 54 range, and 55 to 64 age ranges. These groups are projected to account for approximately 90 percent of the population growth between 1990 and 2010.¹ As the demographics change to account for births, deaths, and the aging population, the age cohorts that affect population growth will shift. Between 2010 and 2030, the 5 to 19 and 35 to 54 age groups are projected to remain relatively stable, while the fastest growing segments of the population will be, respectively, in the 55 to 64 and 65 and over age groups.² In effect, the years between 2010 and 2030 are projected to be a slower growth period than the previous 20 years, with the population increasing at approximately half the rate (see **Chart 3-5**).



Source: 2010 – 2030 MAPC Population Projections, released January 31, 2006.

These projections, however, are just that. They are based on historical trends and methodologies to account for shifts in the population, but changes in town policy to slow growth or attract different population groups could affect the actual numbers achieved through the year 2025.

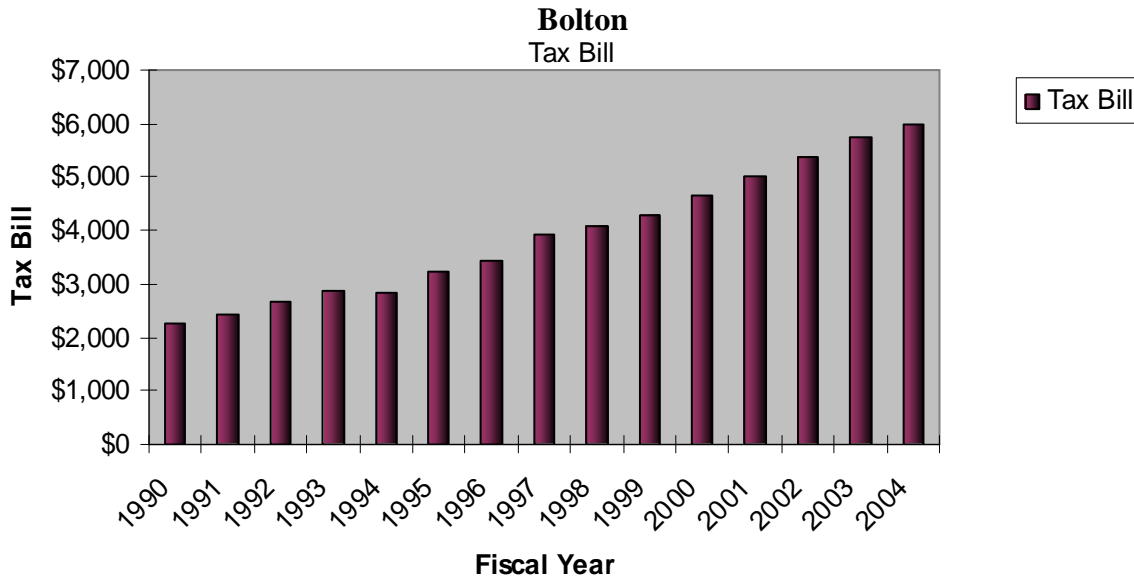
¹ Actual breakdowns of each age cohort's contribution to the total percentage are: increases in 5-19 group (564 persons, 21.06% of total), 35-54 group (1,037 persons, 38.73% of total), and 55-64 group (781 persons, 29.17% of total).

² Actual breakdowns of each age cohort's contribution to the total percentage are: under 5 group (118 persons, 8.40% of total 2010-2030 population growth); 5-19 group (222 persons, 15.75% of total 2010-2030 population growth); 20-34 group (156 persons, 11.09% of total 2010-2030 population growth); 35-54 group (8 persons, .60% of total 2010-2030 population growth); 55-64 group (427 persons, 30.30% of total 2010-2030 population growth), and 65 and over group (477 persons, 33.86% of total 2010-2030 population growth).

3.3 Relationship between Bolton's Population Growth and Taxes

The MPC found that most new houses do not pay their own way, as they require more spending on schools and other services than they pay in taxes. Therefore, as the number of houses in Bolton is forecasted to grow, Bolton's tax rates will also continue to increase to support the necessary town services: police, fire, schools, public works, etc.

Chart 3-6
Average Single Family Tax Bill (1990-2004)

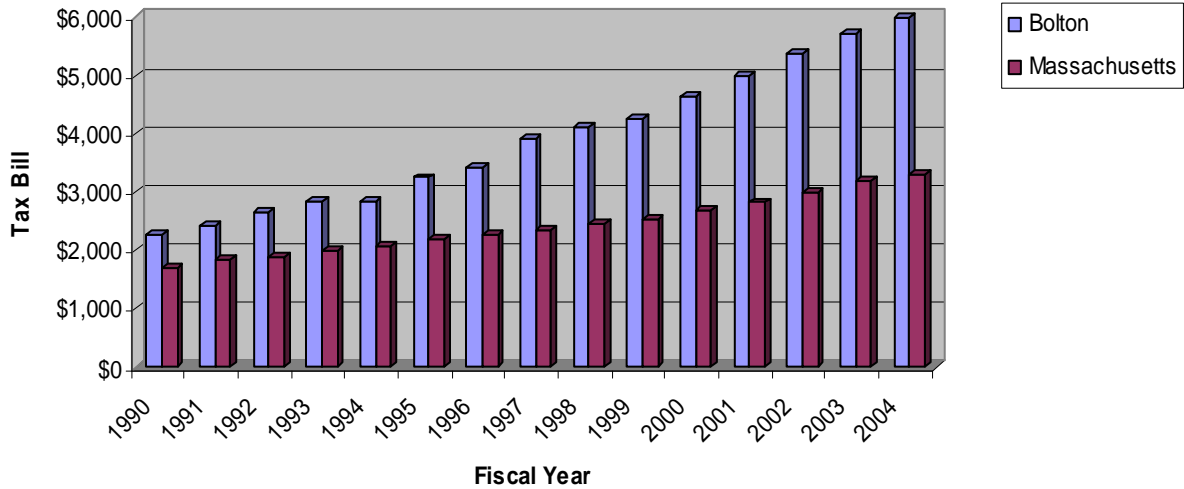


Source: Massachusetts Department of Revenue, Division of Local Services
Tax Rate indicates residential tax rate per \$1,000 value.

The average single family tax bill increase has been steady and incremental (see **Chart 3-6**). Between 1990 and 1999, the average tax bill rose from \$2,274 to \$4,283, an increase of 88.3 percent or an average annual increase of \$223. Between 2000 and 2004, the increase occurred at a slightly slower rate, from \$4,699 to \$5,996, representing an average annual increase of \$324. The compound annual growth rate (CAGR) was 7.4% in the period from 1990-1999; the CAGR was 6.3% from 2000-2004.

While this increase in the single family tax bill has been more incremental than the increase in the assessed value of property, it has been at a faster rate than the increase in the state's average single family tax bill (see **Chart 3-7**). Between 1990 and 1999, the state's average tax bill increased from \$1,711 to \$2,557, an average annual increase of \$94 per year; but between 2000 and 2004 the rate grew faster, from \$2,679 in 2000 to \$3,300 in 2004, or an average annual increase of \$155.

Chart 3-7
Average Single Family Tax Bill (1990-2004)
Bolton and Massachusetts

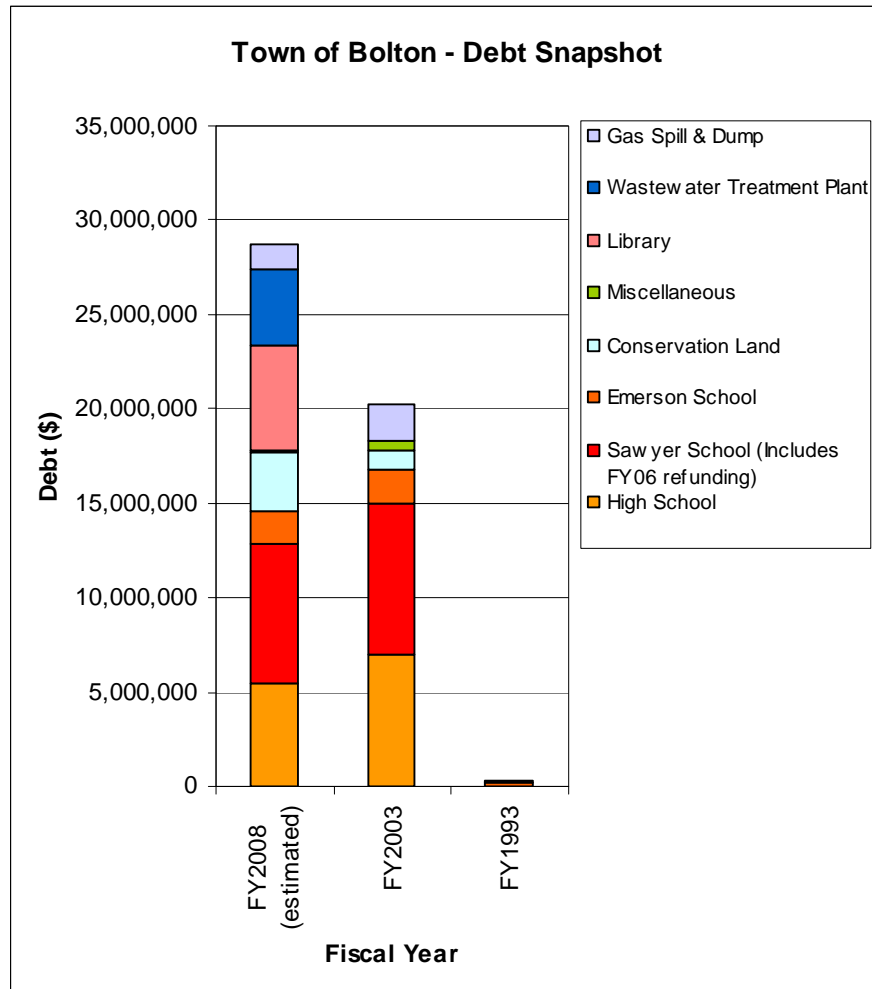


Source: Massachusetts Department of Revenue, Division of Local Services

Bolton is not alone in trying to limit tax growth while providing all the necessary services to its residents. In many similar towns, taxes are primarily driven by population and per-student cost and they exhibit a similar tax growth. Research done by the MPC in communities like Groton, Westford, Westborough, Hopkinton, Shrewsbury and Boxboro, shows that growing a local commercial base in a town like Bolton cannot significantly slow tax growth. Average tax rates are generally higher in towns that have more commercial activity, and these communities often offer more public services.

3.4 Town Debt

As shown in the following graph, town debt grew to over \$20,000,000 in 2003, up from almost none twenty years before, due primarily to school construction. Town debt is expected to further increase to over \$28,000,000 in 2008 due to three expenditures already approved by voters: the library expansion, wastewater treatment plant, and agricultural preservation restrictions.



NOTES

FY2008 estimated debt includes projects voted to date at past Town Meetings (as of July 2006). Reflects remaining debt scheduled as of FY2008.

Gas Spill and Dump debt includes Transfer Station, Landfill Capping, Gas Spill Cleanups, and 50% of Nashoba Realty Land purchase.

Wastewater Treatment Plant and Library assumed will be bonded starting in FY2008 for a 20 year period at an annual average interest rate of 5.5%.

Miscellaneous Debt includes Athletic Fields, Highway Trucks, Ambulances, and Communication Equipment.

FY2008 Conservation Land comprised of expected debt for conservation projects including Nicewicz/Shartner APRs, Barrett's Hill, Savignano Land, and half of Nashoba Realty Land.

3.5 Town Buildout Data

A Buildout analysis is a tool for looking at development patterns and maximum potential growth in a city or town. It is sometimes referred to as a town's "worst case scenario". After setting aside land unavailable for building (municipal, wetland, conservation, developed lots, etc.), it calculates the number of remaining buildable house lots allowed using existing zoning regulations. The MA Executive Office of Environmental Affairs (EOEA) did buildout analyses for every municipality in the State in 2000. Under present zoning, which has not significantly changed since 2000, Bolton's numbers were as follows:

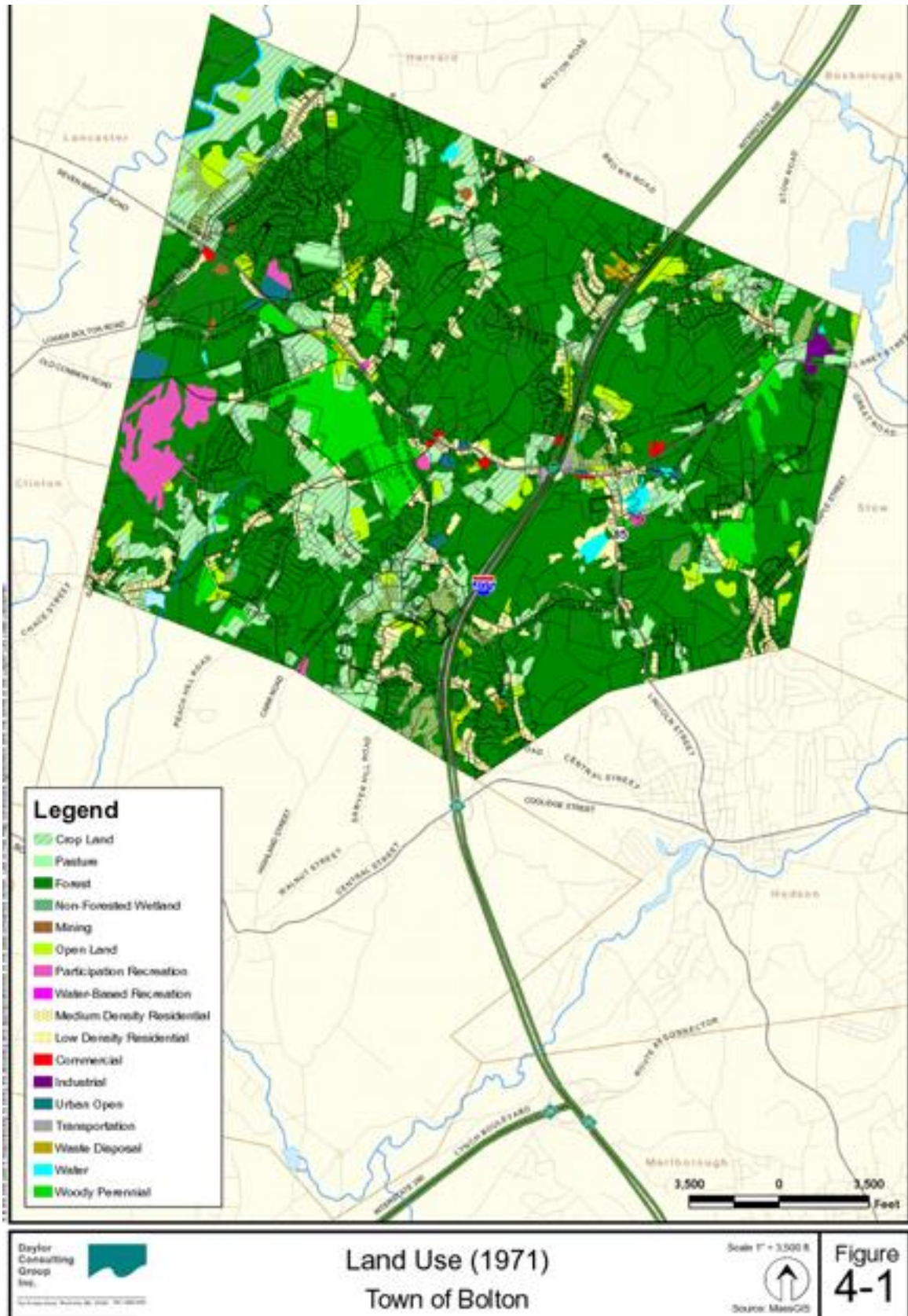
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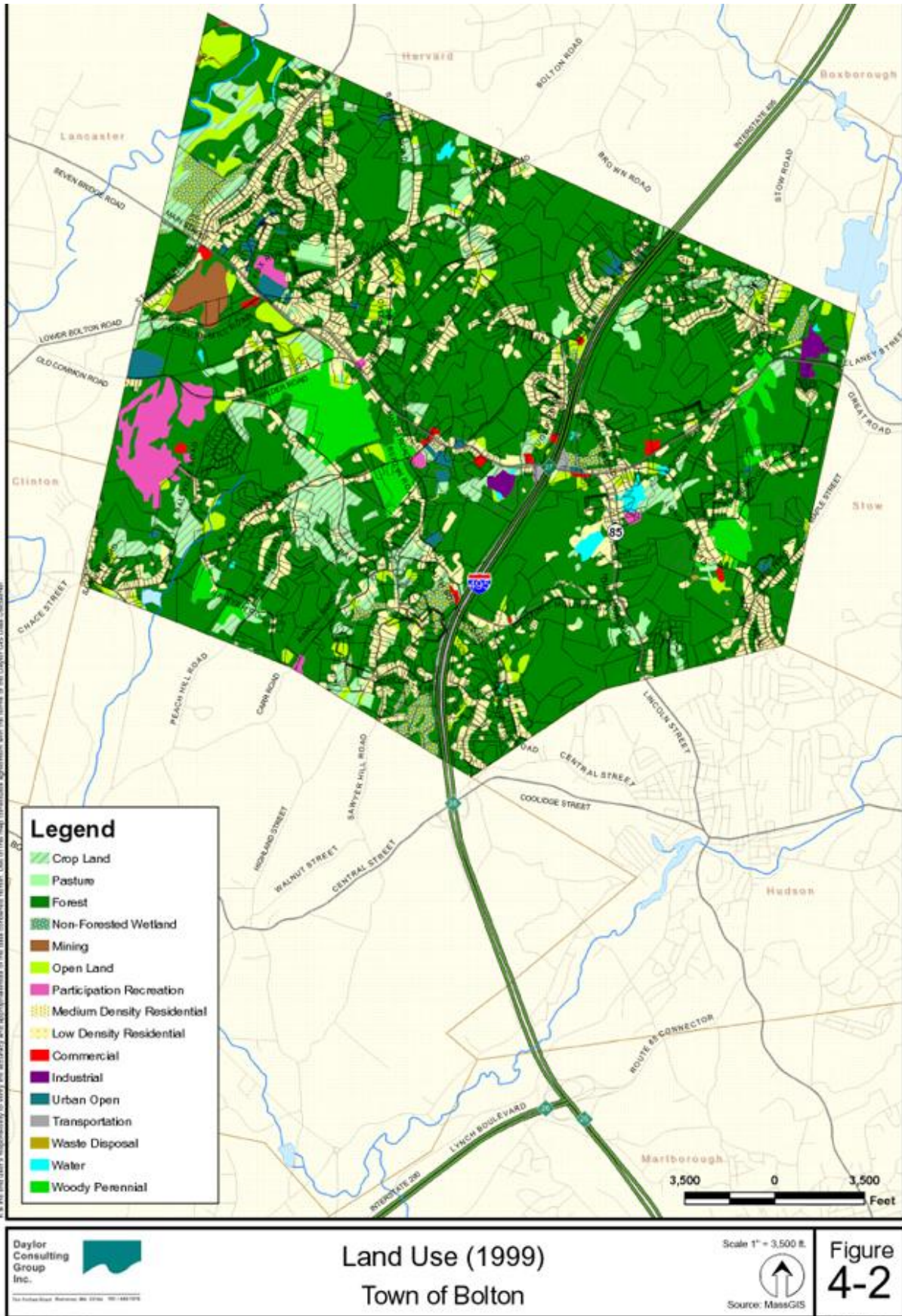
- Additional housing lots: 1,740 (calculation assumes that 90% of new housing lots will be traditional subdivisions or regular frontage lots; 10% of new housing lots will be backland lots) Last Census count indicated there were 1,492 housing units.
- Additional residents: 5,046
- Total residents at buildout: 4,148 (2000 U.S. Census) + 5,046 = 9,194
- Additional Students: 1040
- Additional Residential water use: 378,449 GPD
- Additional Municipal solid waste: 2588.59 tons
- New roads: 37.73 miles (Bolton currently has approximately 60 miles)
- Additional Non-recycled solid waste: 1,840.78 tons
- Additional Commercial/Industrial building area: 410,557 sq feet

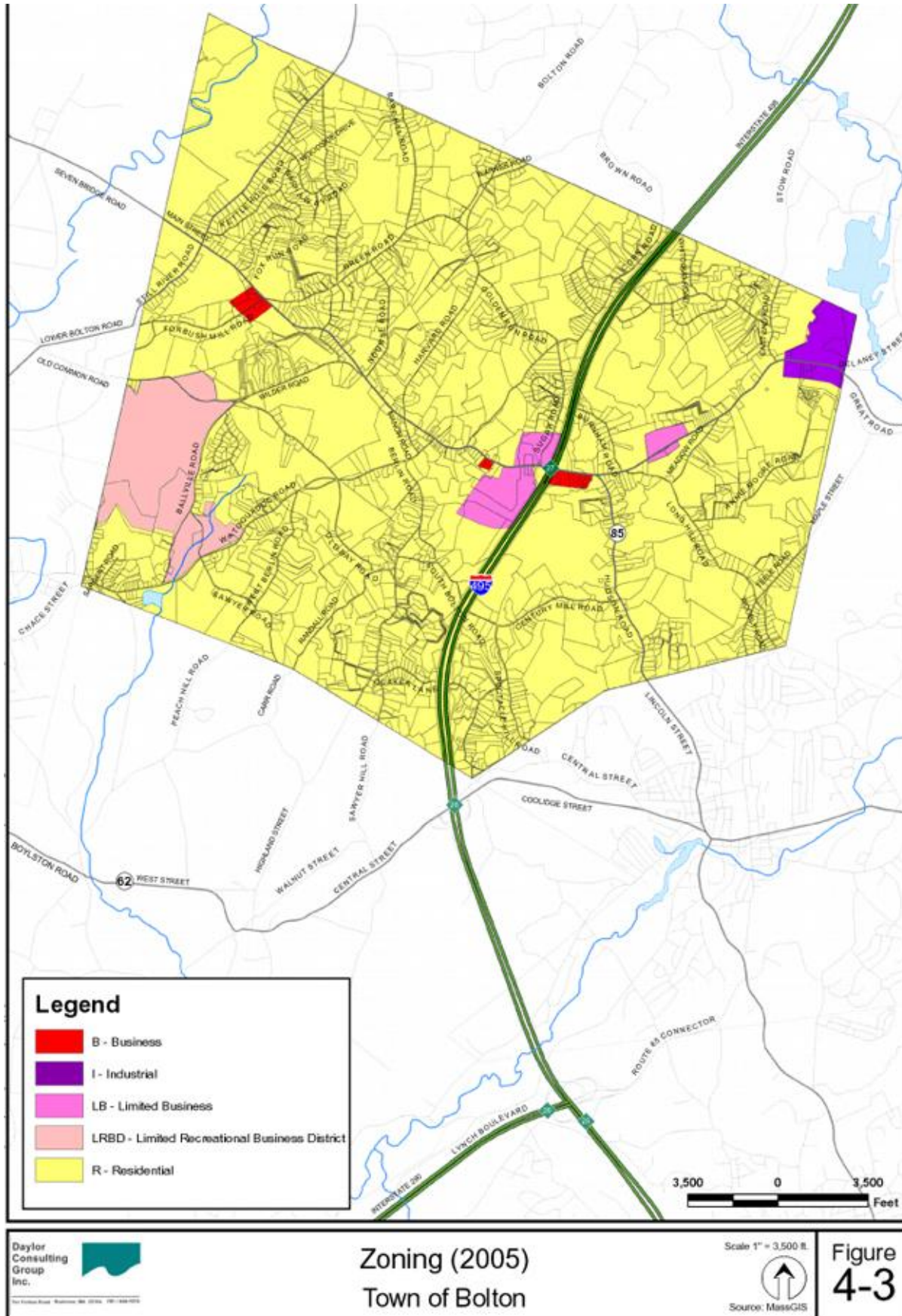
The State buildout study was completed without taking into account the additional units that could be built on a given parcel under 40B regulations. Depending on the number of higher density 40B developments, the population and number of housing units at maximum buildout could be significantly higher. Conversely, it does not take into consideration the town's forty-year record of setting aside open space from development, a process that is likely to continue, and the continuation of which is encouraged in this plan.

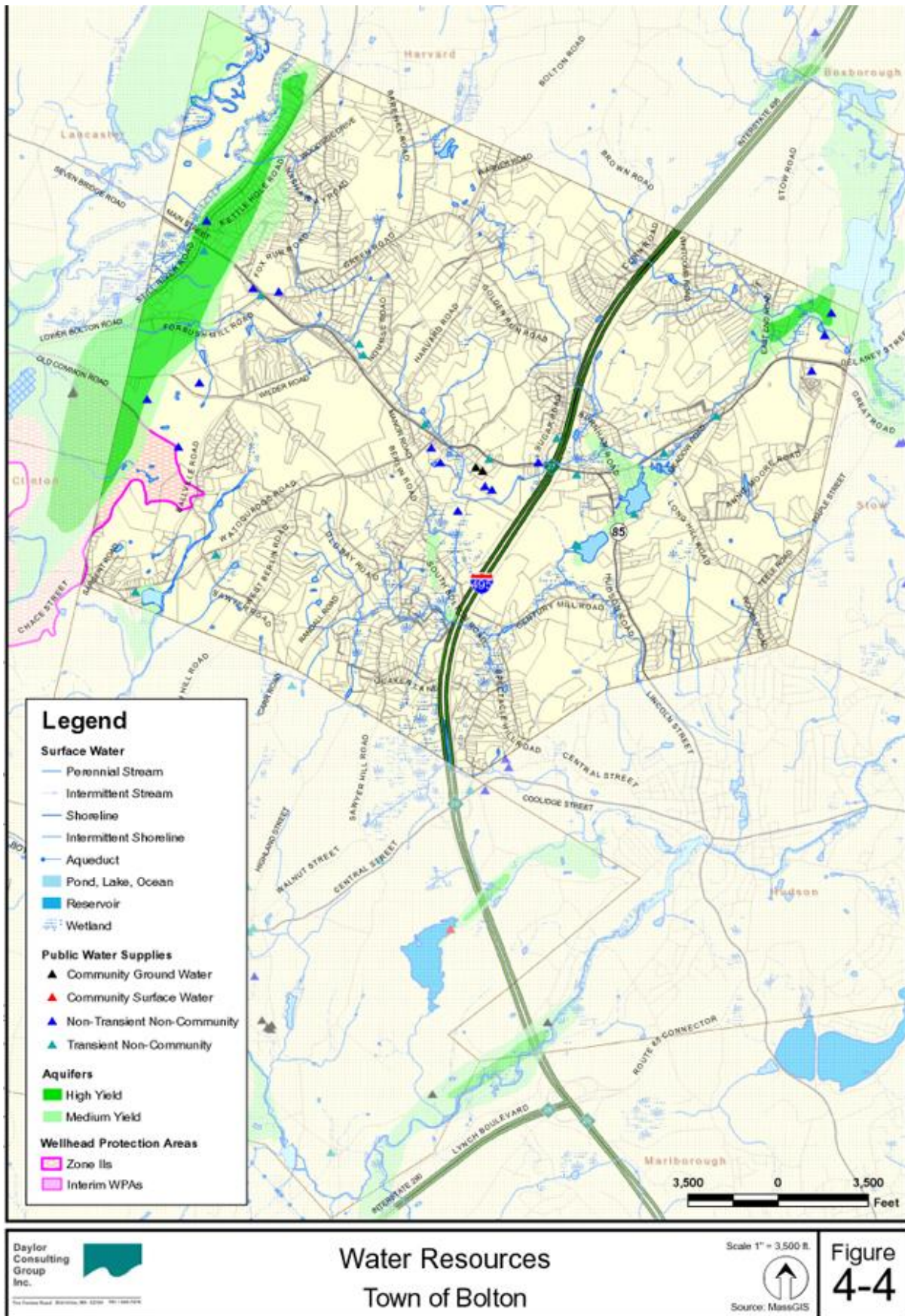
Note: the 8 maps which start on the next page were reduced for this document. Full size copies of these maps are contained in printed copies of the plan available in the library, or by separate download from the town's web site.

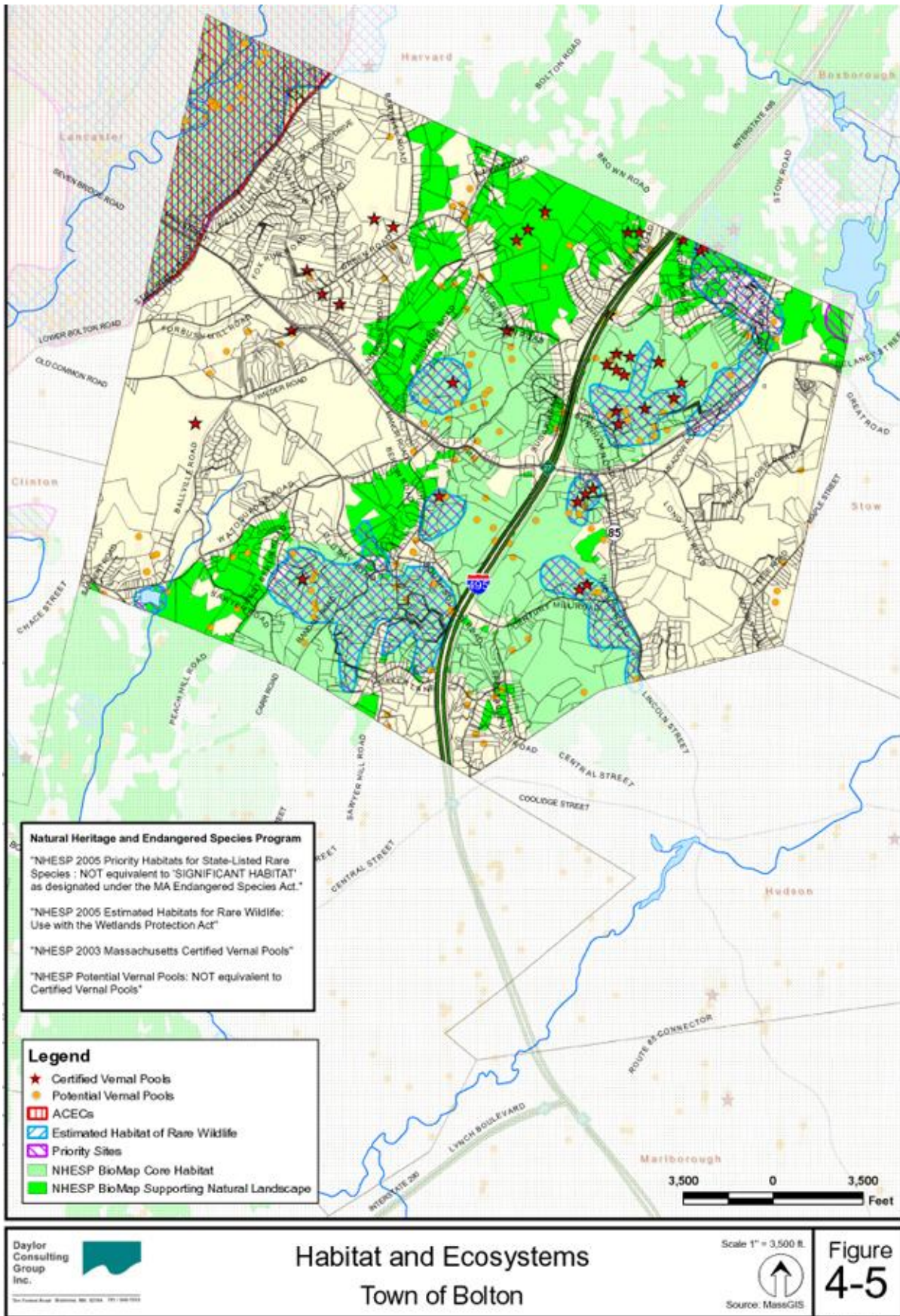
4. LAND USE MAPS

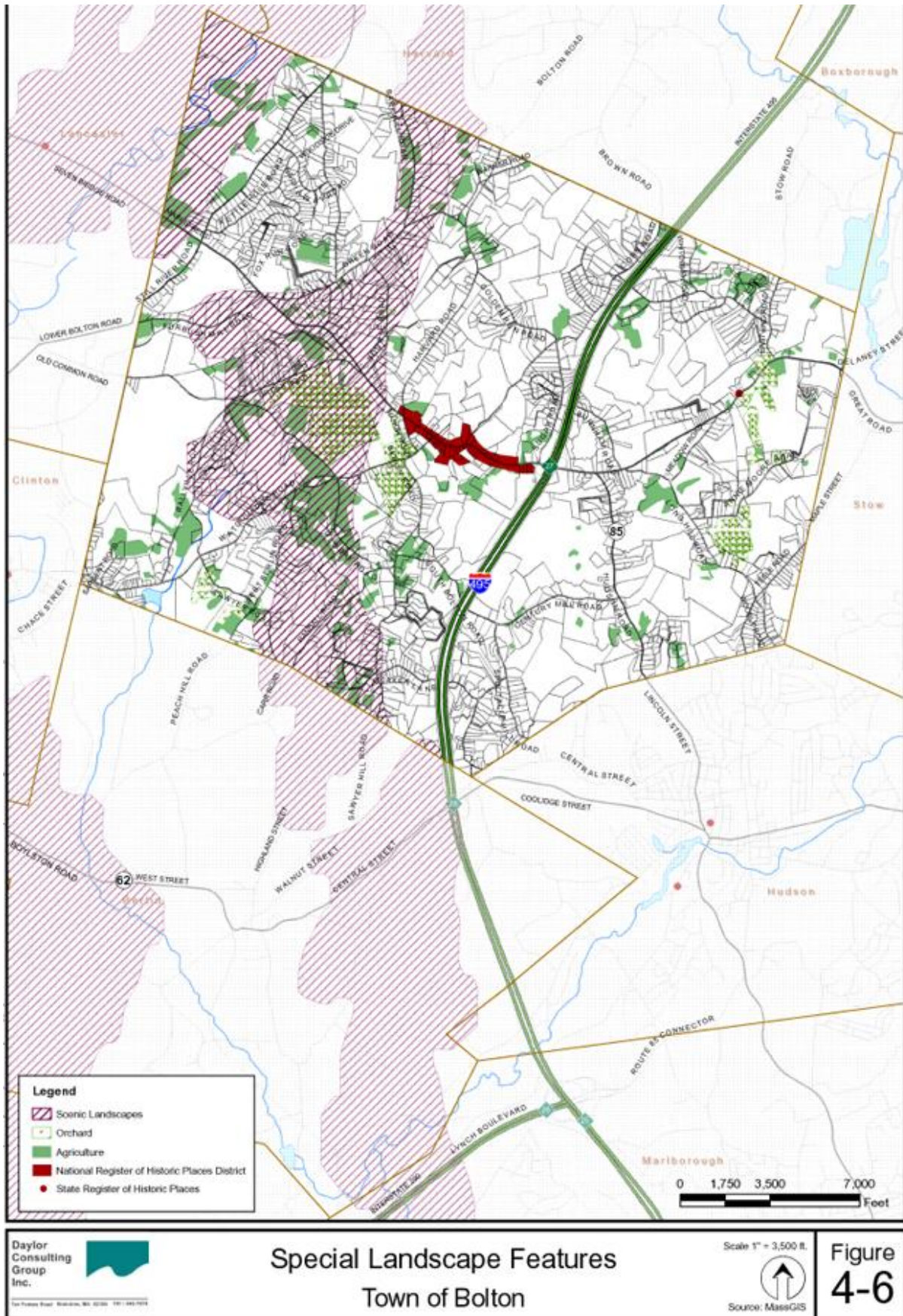


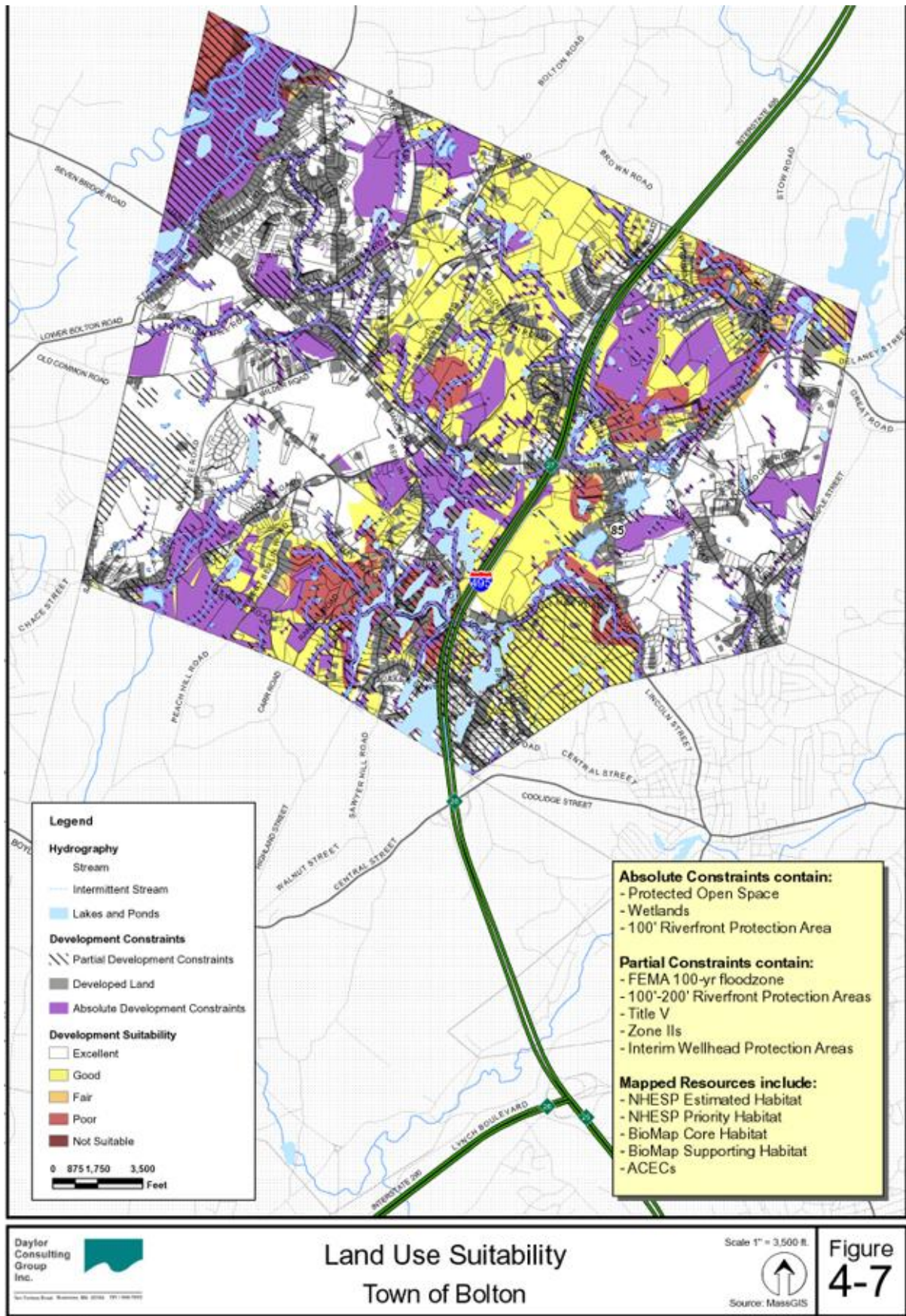


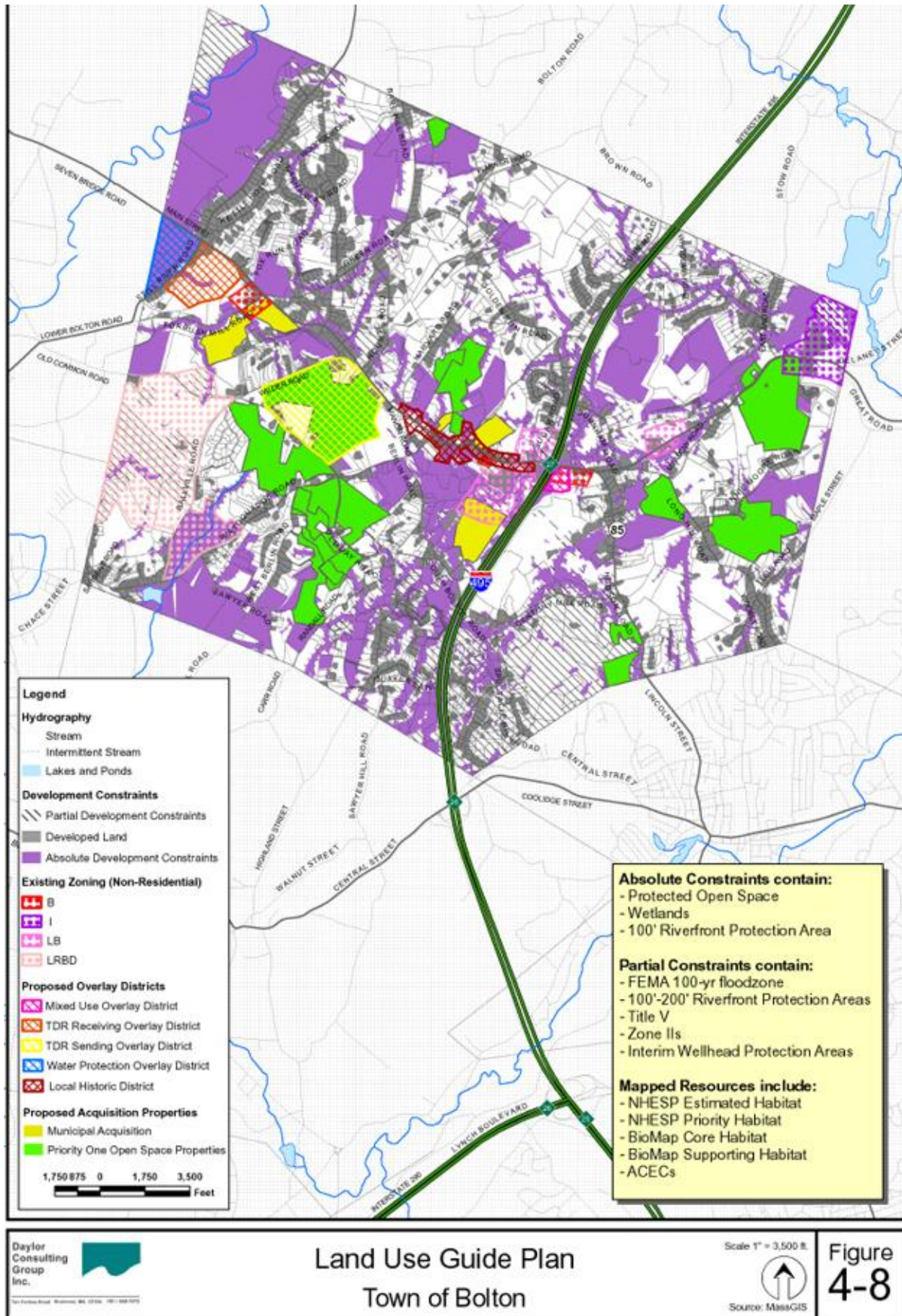








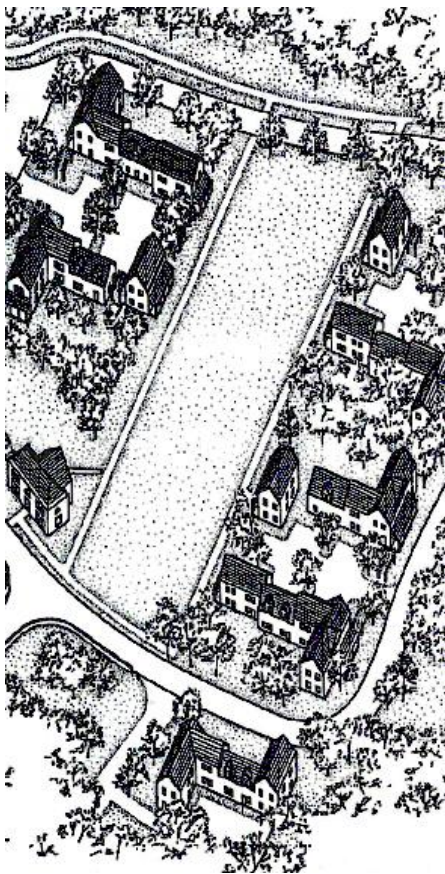




5. HOUSING

5.1 Introduction

The issue of moderating housing growth may be the biggest key to determining what Bolton will be like in twenty years, how fast the town will grow, and, therefore, what will happen to the town's tax bills. According to the state law Chapter 40B, when fewer than 10% of a town's housing units are designated as "affordable", the state lets developers file a comprehensive permit which may result in variances in local bylaws and a higher density of units as long as the project contains at least 25% affordable units. As a result, Bolton is now faced with several projects that will result in multiple homes on small parcels and provide just one affordable home for every four built.



To address this situation, the MPC endorses efforts by the Bolton Affordable Housing Partnership (BAHP) to seek projects that include higher percentages of affordable units than the 25% minimum, owner occupied multi-family homes or appropriate multifamily developments that would count 100% towards the town's affordable goal. Measures such as these will reduce the number of total homes that need to be built to reach 10%, and could substantially reduce our projected population in the next twenty years. It would also increase the variety of housing stock, and in doing so attract seniors and young adults that are both net contributors to a town's diversity as well as its finances.

This chapter begins by identifying some overall goals for the future of housing in Bolton, followed by brief reviews of the town's current housing picture, efforts to date to address some of the challenges, and the reasons for the emphasis placed on affordable housing. This background information will be followed by several strategies that have been suggested by the MPC in order to reach the identified housing goals.

Multi-family housing with a traditional look

5.2 Housing Goals

Some of the key housing concerns of the town include: housing development and the loss of open space; failure to meet the Commonwealth's 10% affordable housing goal; and limited housing choices for residents. To meet these challenges, the following broad goals have been developed for the future of housing in Bolton:

1. Maintain our status as certified under the State's Planned Production guidelines so that we may maintain local control over comprehensive permit projects in our community.
2. Provide a wider range of housing types for all residents.

5.3 Background on Bolton's Housing and the Affordability Issue

Snapshot of Bolton Housing and Demographics

One of the goals of the Master Plan is to encourage mechanisms that will provide diversity in housing types and attract a broader variety of age groups to Bolton. As noted in Chapter 3, the town's current population (and projected growth) is weighted towards school-age children and their parents in the 35-54 age range. In addition, Bolton was ranked the 10th wealthiest community in Massachusetts in 1999, with a median income of \$103,000. With a housing stock of approximately 97% single-family homes, families find many possibilities when looking to move to Bolton. The young adult and senior populations are not provided with as many housing opportunities in town. There are few rental units and no condominiums. The recently opened Bolton Senior Housing complex is the only multifamily option in town, but there are age and income qualifications for residency and priority is not given to Bolton residents.

Understanding the State 40B Mandate

It is worth taking a few sentences to explain "40B", since this law is mentioned so often as being a source of concern for many towns, not just Bolton. Chapter 40B of Massachusetts General Law is formally known as the Comprehensive Permit Law. This law was passed in order to encourage the production of affordable housing in the state, since numerous studies have identified the lack of housing affordability as a serious constraint to the future economic health of the Commonwealth. If each town continues to individually restrict affordable housing, even if they feel it is in their own best interest, as a whole, the state will suffer. Therefore, the state has decided to use some regulatory strategies to increase the overall production of affordable housing across Massachusetts.

Under this statute, a developer is eligible for relief from local bylaws and regulations (including zoning) if the project designates at least 25% of total units in the project as affordable. A town is not subject to this Comprehensive Permit process if more than 10% of the municipality's total housing units are already classified as affordable. A town can also postpone the Comprehensive Permit requirement by producing affordable homes at a rate (per year) of 0.75% of the town's housing stock. Currently for Bolton that number is 11 affordable homes. (The law is more

complicated than this, but for purposes of the Master Plan, a basic understanding is all that is required.)

As is the case with most towns in this area, Bolton's affordable housing percentage does not meet 10% (the percentage was 5.1% at the end of 2005, including built and permitted/approved units), and therefore, the town is vulnerable to proposed developments under the state's comprehensive permit law. This limits the amount of control Bolton has over 40B projects. However, Bolton has an approved affordable housing plan and through projects approved in 2004 and 2005 has produced enough affordable homes to be exempt from the 40B requirement through the end of 2007 (see below).

The Bolton Affordable Housing Partnership

In order to address the town's lack of affordable housing and exposure to 40B developments, the town leaders recognized a few years ago the need to take steps to manage this situation. At that time, Bolton's affordable housing percentage was less than 1%. In September of 2002, the town created the Bolton Affordable Housing Partnership (BAHP). This group soon drafted an Affordable Housing Plan to the Commonwealth, which was accepted in 2004. With Department of Housing and Community Development (DHCD) approval and certification, the town is protected from 40B developments through 2010 as long as the annual goal of adding 11 units of affordable housing is met. After 2010, a revised count of total housing units in Bolton from the U.S. Census Bureau will raise the bar for this annual requirement of permitting affordable units. Assuming Bolton adds 300 units between 2000 and 2010, this requirement would increase to 0.75% of approximately 1800 total housing units or 14 affordable units per year. In order to remain certified beyond 2010, the town will need to plan thoughtful estimates for the 2010 census count and remain proactive in creating the requisite amount of affordable housing past 2010.

In 2005, the town's annual Planned Production Guidelines for housing creation were certified. Also in 2005, Town voters approved the creation of an Affordable Housing Trust. The Affordable Housing Trust will act to buy, sell and own property, either directly or through other entities that it may partner with on projects.

The Affordable Housing Plan and updates can be read online at http://www.townofbolton.com/Pages/BoltonMA_Housing/index

The plan outlined a number of guiding principles, including:

- Maximize local control over the development of affordable housing, mainly to be achieved by reaching the mandated 10% affordability goal;
- Provide housing opportunities to targeted segments of the population, including retired seniors and 55+ active adults, families, young professionals, town employees and persons with special needs;
- Allow affordable-housing projects designed and built in accordance with the standards typical in Bolton and that are fitting with its culture and character;

- Establish maximum density target for affordable housing developments; and
- Create affordable housing that is inclusive, diverse and evenly distributed throughout all of Bolton.

The Need for Affordable Housing

There are two very strong reasons that Bolton needs to increase its affordable housing:

- 1) To meet the state's threshold of 10% and be protected from unwanted 40B developments, which take a significant amount of control out of the town's hands in approvals for new developments.
- 2) To provide housing options for those existing and future residents of Bolton who can't afford or don't want a large single family home, yet still wish to live in town.

As mentioned already, Bolton's approved Affordable Housing Plan grants the town the ability to reject 40B developments if they maintain an annual growth rate of 11 affordable units. This power is important to the town because 40B projects need only provide 25% affordable units. For every one affordable unit built, there are three market rate units. As the units grow, Bolton gets further from the 10% goal.

The lack of diversity of housing options is a significant barrier to affordability. By providing a diverse housing stock, which includes multifamily units and accessory apartments, the town will achieve its goals by creating housing that is by nature smaller and more affordable. Examples of residents who would live in these apartments, condominiums or townhouses are:

- 1) Young, single people who grew up in town and would like to remain, but can't afford a typical single-family home.
- 2) Older citizens of Bolton who may not need the same amount of space as when they were raising a family, nor have the ability to keep up with the maintenance of a large home and yard.
- 3) Municipal employees such as teachers and police officers who want to live in Bolton and become a true part of the community.
- 4) Young professionals making a good salary, married or single, who are not ready to purchase a large single-family house.

5.4 Housing Strategies

In order to meet the housing goals stated at the beginning of this chapter, there are numerous strategies and action steps that have to be undertaken. In general, these strategies fall into three categories, to be explained in more detail below:

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Category 1 Adopt municipal regulations and initiatives to promote identified housing goals

Category 2 Support acceptable multifamily developments and conversions

Category 3 Inform town residents about housing challenges and garner their support

Category 1--Adopt municipal regulations and initiatives that promote identified housing goals

A. Maintain compliance with the Approved Housing Plan

An important short to mid-term strategy is to maintain the Town's certification with the State Planned Production Guidelines (as explained above), which affords some protection from 40B developments. Compliance with these guidelines is crucial to controlling the type, location, and number of affordable housing units in town.

But this is not an affordable housing strategy for the long term. It is clear that by adding affordable units at a rate of 25% of the market-rate units it will take quite some time to meet the affordability goal. As a result, the town ends up with a large number of total housing units, both affordable and market rate. And as the number of total units in town grows, the 10% goal increases as well, so it is akin to chasing a moving target.

Responsible Entity – The Bolton Affordable Housing Partnership in conjunction with the Board of Selectmen and the Planning Board.

B. Activate the Affordable Housing Trust Fund

Affordable Housing Trust Funds are public funds established by legislation, ordinance or resolution to receive specific revenues that can only be spent on housing. Trust funds provide a flexible vehicle through which resources may be committed to the production and/or preservation of affordable housing. Dedicated, predictable and ongoing sources of revenue, such as linkage payments, specific taxes, fees, inclusive housing mandates and loan repayments are desirable, however even one time donations of proceeds from the sale of property, or negotiated contributions may be used to build the fund's revenue.

Bolton established an Affordable Housing Trust Fund in 2005. The trust can buy and sell land and housing with the funds. The MPC recommends that the trust fund be strengthened by establishing a program to accept donations from local companies. This will supplement the other funding mechanisms such as the payment-in-lieu provisions recommended in the bylaws contained within this Plan.

As discussed in more detail below, the town should also pass the Community Preservation Act (CPA) and leverage the money to create and support affordable housing (See **Section 6.4**). This would create an additional stream of revenue to undertake affordable housing development.

Responsible Entity – The Board of Selectmen need to appoint members to the Affordable Housing Trust, which will then work closely with the BAHF to achieve housing goals

C. Zoning Requirements and Incentives to Increase Affordability

The Town of Bolton passed an Inclusionary Housing bylaw in May 2003, which requires one affordable unit for every eight market rate units built. A \$200,000 payment-in-lieu compensation is required for developers who do not produce the affordable unit. That fee will go to the town's Affordable Housing Trust Fund. This bylaw imposes a penalty on a builder for failing to provide an affordable unit in their development.

Another approach used by towns is to encourage developers to create affordable housing by using incentives such as density bonuses. For example, the Town of Lincoln's zoning bylaws include an incentive density bonus of the lesser of 20% or 10 units on certain developments provided that 50% of the additional units are priced to be affordable to low- or moderate-income households. The Town of Concord also has this type of zoning, known as the Planned Residential Development provision, which allows additional density in return for deed restricted affordability. One project done in Concord under this provision had only 12 homes, demonstrating that density bonuses are practical even in smaller developments. Bolton could implement a Village Overlay district that would allow for mixed-use developments combining commercial and residential rental units.

Responsible Entity – The Planning Board and Zoning Board of Appeals

D. Smart Growth Incentives 40R and 40S

The state passed "smart growth" legislation to target housing and mixed use development in areas near transportation. The idea was to increase the density in these areas that make sense for development and leave other areas undeveloped. The smart growth initiative was contained in MGL Chapter 40R and specified housing density and other requirements in exchange for some state grants as incentives to build the housing. 40R is being pursued in 2006 in several communities where there are abandoned mill sites or run down areas near town centers that can be revitalized. A companion piece of legislation, Chapter 40S, was passed in order to provide school funding on a per pupil basis to help communities offset the costs of educating new students who move into these more dense developments. Funding for 40S in 2007 was uncertain.

The 40R and 40S statutes were designed to give communities financial rewards in return for zoning land to allow for more dense housing located in logical growth areas. Incentive payments are offered for newly zoned land, and then again when new building permits are issued for housing. Towns that pass 40R districts are to be put higher on the state's list when being considered for other state spending programs.

Smart growth is most often referred to in the context of urban areas, or at least communities larger than Bolton that have established central business districts with town services, notably

water and sewer. As part of the Master Planning process, the committee invited housing experts to visit Bolton to explain the basics of these new programs. According to these proponents of 40R and 40S, rural communities can take advantage of the benefits of these statutes by coming up with applications of the programs to meet their rural town center circumstances. The state offers grant money to hire professional assistance to better understand how 40R and 40S may be applicable and beneficial to towns. The Smith property in Bolton center is a parcel the Master Planning Committee believes might be appropriate for 40R mixed use development. The committee recommends that the town apply for grant money to look further at this program and its potential benefits for Bolton.

E. Adding Staff or Using Consultants

If Bolton decides to proactively address affordable housing, it may require additional help. Rather than ask the BAHP to take on the role of looking for development partners and/or managing projects, the town may consider establishing a Development Committee with the express purpose of seeking out projects in which the town can play some sort of role. The town may also consider hiring an affordable housing consultant who would have the contacts, knowledge and time that may be hard to duplicate with volunteers.

Responsible Entity – The Board of Selectmen

Category 2--Consider Appropriate Multifamily Developments

There are several reasons to consider allowing, and even encouraging, multifamily housing in Bolton, and the two most compelling are the following:

- **Meet goal faster** Per state law, apartment projects, even if all the units are not in the “affordable” category, count 100% towards the town’s affordable housing percentage. A 20-unit apartment project would add 20 units to the state mandated 10% affordability goal needed to gain protection from unwanted 40B developments.
- **Control School Costs** Right now, age groups that generally don’t place a burden on the school system (18-34, and 60+) are under-represented in Bolton. Smaller housing options that attract these demographic groups, such as apartments and condominiums, and housing options targeted at a senior population, will tend to add fewer children to the school system than the typical single-family home that is being built in town today.

A. Town-Supported or “Friendly” 40Bs

The town should support friendly 40Bs that are consistent with the town’s character and bring a significant benefit to the community. Friendly 40Bs are in contrast to developer-initiated 40Bs that maximize the scale of a 40B without consideration for their location or impact on the town. True friendly 40Bs have the backing of the Board of Selectman and should go before the Planning Board, Conservation Commission and the Board of Health before going to the Zoning Board of Appeals. However, friendly 40Bs should not be as-of-right and should be approved

only when they provide a clear benefit to Bolton. The town should work with each Comprehensive Permit applicant to ensure continued consistency with this Master Plan and the rules, regulations and bylaws of the town throughout the development process. If the proposal is not consistent, the town should utilize its right to seek appropriate modifications to a project and, if necessary, deny the project. Specifically, the town will be looking for the following elements in any friendly 40B development:

- Rental projects, in scale with the site and surrounding town resources, will be given preference over ownership projects because all apartment units count toward the town's 10% affordability goal.
- Projects that contain a higher percentage of affordable units than required by 40B will be given preference over those projects that meet the minimum of 25%.
- 40B projects that entail the conversion of existing development into affordable housing will be given preference over those projects that seek to develop Bolton's valuable open space.
- 40B projects that are proposed on open land and seek to permanently preserve over 40% of the parcel above and beyond wetlands and other protected lands will be given preference over those projects that do not seek to protect Bolton's open spaces.
- 40B projects that seek fewer waivers from local zoning and regulations will be given preference over those projects that seek more waivers from local laws.

Responsible Entity – All Boards and Commissions should assist the Zoning Board of Appeals with Comprehensive Permits.

B. Encourage accessory apartments

While the numbers may not be great, the MPC feels that there is potential in encouraging homeowners to consider adding (or in some cases, registering) accessory apartments. The current zoning bylaw allows accessory apartments, but places restrictions on them that may not encourage their use for affordable housing. The most restrictive provision is that they are only allowed when attached to or in a new or existing dwelling unit where both units still maintain the look of a single-family home. This excludes the placement of attractive accessory units in small cottages on the lot or above freestanding garages, both of which are styles that, if executed correctly, can add an “invisible” unit without ruining the rural integrity of the neighborhood. The town should look at ways to update the zoning bylaw to be less restrictive in the provisions regarding accessory apartments. The Town could also offer incentives, such as a tax rebate or lower tax assessment, in order to encourage the creation of accessory apartments.

Responsible Entity – The Bolton Affordable Housing Partnership in conjunction with the Board of Selectmen and the Planning Board.

C. Specific Town Purchase of Land for a Private Development

If the opportunity arises, the town may choose to purchase a suitable piece of land for affordable housing development. (Refer to Bolton Affordable Housing Plan, Sect. 3, part F, for criteria of suitability.) A proactive development, spearheaded by the Affordable Housing Trust could be conducted as a Local Initiative Project (LIP) in which the Selectmen, rather than a developer, initiate the 40B process. If the town controls the land, they can craft and issue a Request for Proposal (RFP) for the project that would ensure that the private developer chosen would be building a multifamily development with the unit mix, open space attributes, and design aesthetics that are acceptable to the residents of Bolton. The developer could receive the land from the town at a subsidized price in exchange for meeting the requirements of the RFP. This proactive action would allow the town to provide affordable housing in a location that is pre-approved and with a certain set of characteristics desired, i.e., with a high degree of control over the project, rather than waiting for a 40B project to be proposed by a private developer, even if it is a “friendly” situation.

Responsible Entity – The Affordable Housing Trust should study opportunities for land purchase and LIPs.

D. Use of Town-Owned Property

The town should study municipal land holdings to determine if any are appropriate for affordable housing. The town has conducted a preliminary analysis and has not identified any specific properties at this time. But in the future Bolton may have municipal structures that become abandoned, underutilized or functionally obsolete. The Town of Bolton should study the potential for reusing these structures as the need arises. Reusing these properties as housing is a strategy that enables the community to accommodate growth in established locations instead of on green space and at the same time preserve or restore the architectural fabric of the community.

In the future, whenever the community analyzes property for municipal uses, affordable housing potential should be taken into consideration. If a property is deemed appropriate for the construction of affordable housing, the town could work with a nonprofit developer and target the disposition of the property for the specific purpose of creating affordable housing. The town will retain control over the review process and will structure the deed in such a way as to protect the community and public interest.

Also, the town should analyze future tax title properties as to their potential for affordable housing. Tax title properties are land and/or buildings that are in the process of being taken by the municipality because the owner has failed to pay property taxes.

Responsible Entity – The Bolton Affordable Housing Partnership should study opportunities for housing on town owned property and tax title property.

Category 3--Inform Town Residents about Housing Challenges

Bolton's housing challenges are the result of several factors including state mandates, real estate development pressures and a strong regional housing market. These factors bring implications that may influence the town's housing policies. It is important for town residents to understand these factors and the implications that follow, such as the need to be more open-minded regarding multifamily developments. The town should work to create a comprehensive campaign to educate residents about housing issues, particularly the need to incorporate well-planned multi-family, condominium or apartment units into Bolton's housing mix. The campaign would include the following outreach elements:

- Newspaper articles and guest columns regarding the Master Planning efforts and strategies. These articles should be detailed and should explore the various state and regional and local realities that influence the housing market and strategies
- Direct Mailings to households
- Public meetings to explore the town's strategies and answer questions from the public
- Detailed and updated web site content with links to pertinent state and housing web sites.
- Booths at events such as the Bolton Fair
- Cable access channel broadcasts of all public events to ensure that all residents can contribute and learn.

Responsible Entity – The Master Plan Implementation Committee in conjunction with the Board of Selectmen, the Planning Board, and the Bolton Affordable Housing Partnership.

6. OPEN SPACE

Bolton is fortunate to have about one quarter of the town already set aside as protected land, including conservation land, conservation restrictions, restricted farms lands, state wildlife refuges, and land zoned for recreation. This huge portion of Bolton was protected at a relatively low cost per acre, and its debt service in 2004 cost the average Bolton household under \$100. If all this land instead had been developed with more houses, Bolton would have a much higher population, many more classrooms and higher taxes.

Gifts of conservation land and conservation restrictions should continue to be encouraged, as they help preserve the rural character of Bolton, yet have no acquisition cost to the Town. In the last year, four different land owners made gifts which total over 100 acres. One of these gifts was a priority-one open space, which comprised the heart of the Randall forest.

Most new houses do not pay their own way in Bolton, as they require more spending on schools and other services than they pay in taxes. When open space can be protected at a relatively low price per acre, it costs taxpayers less to borrow the money and protect the land than to see it developed. It also slows the growth of housing and population by restricting the amount of land in town available for development. The MPC encourages the town to continue to protect open space, especially the landmark parcels, in order to help preserve rural character and slow tax growth. In addition, open space zoning and gifts will protect additional acres of open space at no cost to the town.

Table 6-1
Lands Protected from Development
Bolton

Protected Land	Acres
Conservation Land	1,253
Restrictions: Conservation and Agricultural	698
Bolton Flats and Other State and Town Land	962
Golf Courses in Recreation Zone	472
Other Wetlands, approximately	100
Total	3,485
% of Town Land	27%

Source: Bolton Open Space Plan, 2004

Note: The acreage in wetlands is approximate, as several of the town's large wetlands are already included in the other categories.

6.1 Protect Bolton's Landmark Open Spaces

This chapter focuses on protecting many of Bolton's most important landmarks; each makes a significant contribution to the town's rural character. These are the priority-one lands in the 2005 Open Space and Recreation Plan (OSRP), and are highlighted on **Map 6-1**, below. They include the six largest unprotected agricultural parcels: Bolton Orchards (Old Bay & Wilder Roads); Townshend Farm and neighboring Taylor Farm (Wattaquaddock, S. Berlin and Old Bay Roads); Bolton Spring Farms (Main Street); Lord's (Annie Moore Road), and Long Hill Farm (Long Hill Road). These also include the unprotected portions of three large forests: Powderhouse Hill, Randall and Danforth. The future well site described in Chapter 9 is also shown in the northwest part of town.



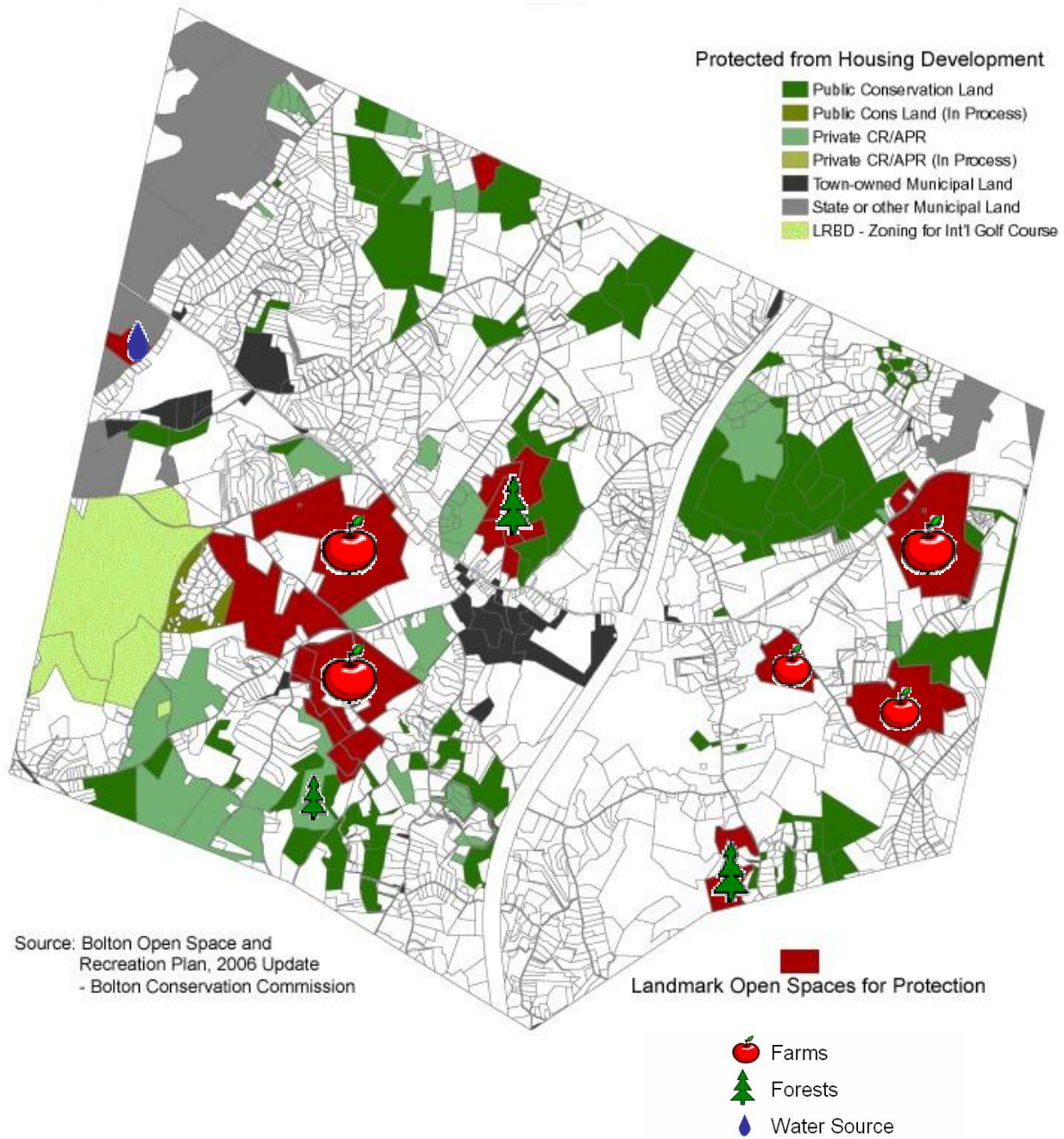
There are many creative ways to protect landmark parcels that do not necessarily have to cost a lot of money. For example, the 106 acre Schultz Farm was protected in 1998 as part of changing the International Golf Course zoning to recreational. The centerpiece Nashoba Valley Winery was protected in 1995 with only \$75,000 of Bolton funds, because it was tied to the creation of a restaurant, plus over \$250,000 of private donations and a state grant for an agricultural preservation restriction.

One possibility for protection of the spectacular Townshend Morgan Horse farm might involve working with the owner to have it evolve into an educational institution. Another possibility is to have some of the town's largest orchards protected using a Transfer of Development Rights mechanism, as described further in section 9.6.

Responsible Entity – The Conservation Commission and Bolton Conservation Trust working with the Board of Selectmen.

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Map 6-1
Bolton's Open Spaces



6.2 Protecting Open Space Slows the Growth of Taxes

6.2.1 A New House Usually Does Not Pay its Own Way

Although it may cost the town more initially to protect open space, over time the increased costs of services for a residential development offset the loss of taxable land. **Table 6-2** shows the typical impact of a new home built in Bolton on the town's finances. The house is assumed to cost \$629,400, the current median home price in town, which generates a healthy \$8308 in taxes. The average cost to educate one student in Bolton is calculated as the sum of all money spent on students divided by the number of students. These school moneys include the Nashoba and Minuteman school budgets plus the town's debt repayments for school buildings, which works out in 2005 to about \$11,000 per student. If the typical house in a new development has on average 0.8 students per house, then 80% of \$11,000 equates to an estimated school cost of \$8,800 per house. In addition, each house is assumed to require spending of approximately \$2,500 on all other town services, including police patrols, fire protection, and road maintenance, etc. So overall, a median priced house does not pay its own way, but instead creates a \$3,000 deficit for the town's finances. The number of students per house is the most important assumption. If there are no students at all, this house would generate a surplus of \$6,800, but if there are two students the deficit swells to \$15,200.

Table 6-2
Deficit to Town per House--Bolton

Town Revenue	
House Cost	\$629.4
x Tax Rate	1.32%
= Taxes Paid	\$8.30
Town Costs	
Education per Student (\$)	\$11.00
x Students per House	0.80
= Education Costs	\$8.80
+ Services per House	2.5
= Town Costs	\$11.30
Deficit per House	-\$3.00

units in thousands

A very expensive house can be a net tax contributor. For example, using the same data as in the table above, a \$1M home would pay \$13,200 in taxes, which exceeds the average tax per house with 0.8 children by \$1900. However, million dollar houses tend to be larger, so if it contains one child, this \$1900 gain turns into a \$300 shortfall. With two students, the shortfall grows to \$11,300. The MPC is not suggesting that Bolton take an anti-children position. Students have been one of Bolton's fastest growing age groups. The MPC is suggesting that the town seek less overall growth and more balanced growth across age groups, as that will reduce pressure on schools and better share the tax burden.

6.2.2 An Example of How Protecting Open Space Avoids Tax Growth

The financial savings to the town for protecting a specific parcel rather than see it become another housing development can be illustrated by using an example parcel. Often a parcel will become available for purchase by the town for conservation use at an attractive price because the owner has loved the land for many years and does not want to see it developed. As this time, the Bolton Conservation Trust has an option on a 26 acre piece of land on Main Street with a cost to the town of \$198,000. This parcel abuts Bolton Spring Farms, one of Bolton's landmark farms. The twenty year cost of protecting this land or seeing it developed into four house lots is shown in **Table 6-3**. If the land is developed, the cost to the town is \$8,100 in the first year, which is more than two times the deficit calculated above for a single house in **Table 6-2**. This deficit grows each year with inflation and reaches \$14,700 in 2025.

If instead the land is protected, there is a constant debt repayment for 15 years of \$8,900, which assumes that the town pays for half the cost and the state pays the other half from self-help funds or the proposed CPA (see section 6.4). In addition, if the land is protected it comes off the tax rolls and so no longer contributes \$500 in taxes.

In the first year, the net cost to the town of protection rather than development is \$1,300, as protection costs \$9,400, but having it developed would have cost \$8,100. This net amount shrinks each year, and by 2010 the cost of seeing it developed has grown to the same cost as protecting it. After 2010, the net cost of development continues to grow each year, and then jumps when the debt to protect it is paid off in 2020. For the entire 20 year period, taxpayers save a total of \$85,400 by protecting this land.

6.2.3 When Protecting Open Space Does Not Slow the Growth of Taxes

Not all open space purchases slow the growth of taxes. There are several situations where the cost of protecting the land will exceed the cost of providing town services associated with houses built on the land. For example, if the parcel will not support any houses, such as a wetland. Or, if the parcel was to become age restricted housing that would place no burden on the schools. Or, if the purchase price is high relative to the number of houses averted, due to a very high price, no partial state funding, or soils that would support very few houses, or some combination of these factors. In these cases, any town decision to spend to protect the open space would be solely based on preserving rural character rather than slowing the growth rate of taxes.

Table 6-3
Cost of Protecting 26 acres vs. Cost of Developing

Cost of Developing the Land					Cost of Protecting the Land			Savings from Protection
	Education Cost	Other Services	Less Taxes Paid	Cost to Town	Repay Debt	Taxes Lost	Cost to Town	
2005	35.2	10.0	37.1	8.1	8.9	0.5	9.4	-1.3
2006	36.3	10.3	38.2	8.4	8.9	0.5	9.4	-1.0
2007	37.3	10.6	39.3	8.6	8.9	0.5	9.4	-0.8
2008	38.5	10.9	40.5	8.9	8.9	0.5	9.4	-0.6
2009	39.6	11.3	41.7	9.1	8.9	0.6	9.5	-0.3
2010	40.8	11.6	43.0	9.4	8.9	0.6	9.5	0.0
2011	42.0	11.9	44.3	9.7	8.9	0.6	9.5	0.2
2012	43.3	12.3	45.6	10.0	8.9	0.6	9.5	0.5
2013	44.6	12.7	47.0	10.3	8.9	0.6	9.5	0.8
2014	45.9	13.0	48.4	10.6	8.9	0.7	9.5	1.1
2015	47.3	13.4	49.8	10.9	8.9	0.7	9.6	1.4
2016	48.7	13.8	51.3	11.3	8.9	0.7	9.6	1.7
2017	50.2	14.3	52.9	11.6	8.9	0.7	9.6	2.0
2018	51.7	14.7	54.4	11.9	8.9	0.7	9.6	2.3
2019	53.2	15.1	56.1	12.3	8.9	0.8	9.6	2.6
2020	54.8	15.6	57.8	12.7	0.0	0.8	0.8	11.9
2021	56.5	16.0	59.5	13.0	0.0	0.8	0.8	12.2
2022	58.2	16.5	61.3	13.4	0.0	0.8	0.8	12.6
2023	59.9	17.0	63.1	13.8	0.0	0.9	0.9	13.0
2024	61.7	17.5	65.0	14.3	0.0	0.9	0.9	13.4
2025	63.6	18.1	67.0	14.7	0.0	0.9	0.9	<u>13.8</u>
Total 21 Years								85.4

6.3 Protect Additional Open Space by Purchase or Perpetual Restriction

As illustrated in section 6.2, when land can be removed from development at a reasonable price per acre, it costs the town less to protect it than to see it become another housing development. The Town of Bolton should continue to protect open space by either purchasing it or establishing a perpetual restriction on it, with a significant portion of the funding coming from the state. One source of state funding should be the Community Preservation Act, as described in the next section. Additional funding may be obtained by setting aside a building lot from the land and selling it to offset the cost of land purchase. A building lot was set aside and sold help pay for the Moen property; Self-Help funds also contributed to the purchase.

As land values have risen in Bolton, restrictions are becoming a more popular way to protect land, as it costs less than buying the land. A perpetual restriction is a legally binding document

that prevents the land from ever being developed into houses. The land owner still owns the land, but the town and/or conservation trust holds a restriction on it that prohibits it from being developed. There are two kinds of perpetual restrictions: a conservation restriction and an agricultural preservation restriction. Both have been used on numerous parcels in Bolton over the last fifteen years. One benefit to the owner of land in restriction is a lower tax rate than on developable land. If in the future the landowner sells the land in restriction for less than its value, the landowner may also qualify for a Federal income tax reduction.

Responsible Entity – The Conservation Commission and Bolton Conservation Trust working with the Board of Selectmen. Each purchase then comes to the voters at town meeting and the ballot.

6.4 Implement the Community Preservation Act (CPA)

The Community Preservation Act (CPA) is a statewide enabling legislation provided by the Commonwealth to help communities preserve open space and historic sites, and create affordable housing and recreational facilities by setting aside a portion of their tax revenue in a dedicated fund.

CPA applies to three chapters in this master plan (Open Space, Housing and Natural & Historic Resources). Rather than repeat the information in all three chapters it is only being described here for brevity, in part because Bolton has traditionally spent more on open space protection than on housing and historic projects. But it is important to realize that a portion of CPA funds must be spent on a variety of projects, including affordable housing, and renovation and reuse of historic buildings like Emerson School, the Library and Town Hall.

A minimum of 10% of annual CPA receipts shall be spent, or set aside for future spending, on the three core areas:

- Acquisition and preservation of open space (excluding recreational purposes)
- Creation and support of affordable housing
- Acquisition and preservation of historic buildings and landscapes

The remaining 70% of funds may be allocated to any one or a combination of the three main uses, as well as public recreational purposes, at the discretion of the community preservation committee and subject to the approval of Town Meeting. This gives each community the opportunity to determine its priorities, plan for its future, and have the funds to make those plans happen. Since its inception, the Commonwealth has matched local CPA funds 100% and expects to continue doing so for the next few years. As the program becomes more widely used, it is possible that matching funds may be less than 100%.

CPA has been implemented in over 100 cities and towns in Massachusetts, including neighbors Harvard and Stow. In the CPA program, the town would impose an additional tax of 1% to 3% on all property in town. Then the state matches the amount raised. Many towns are receiving

hundreds of thousands of dollars annually from the state. Bolton is missing out on this beneficial state program.

Bolton did consider the CPA in 2000, but it was narrowly defeated at town meeting. One of the primary concerns at the time was whether the state would hold up its end of the bargain. Experience over the last five years has indicated that the funding has been consistent. To avoid this concern in the future a sunset provision should be used at the town level, so that the CPA is adopted in Bolton with the understanding that if the State money dries up for a period of time then the CPA can be brought back to Town Meeting to be revoked. The law requires waiting five years from the day Town Meeting accepts the CPA before it can be revoked by an another Town Meeting vote.

The implementation of the CPA and the use of the funds to be generated by the Act present the town of Bolton with an unprecedented opportunity to preserve open space lands in a prioritized and meaningful way, to create more opportunities for affordable housing, preserve valuable historic resources and to create and enhance the recreational opportunities for Bolton residents.

Requirements of adopting and implementing the CPA:

- **Community Preservation Committee:** The legislation requires that the town establish a Community Preservation Committee to oversee the spending of the CPA funds. The committee must consist of a representative of the Planning Board, Historical Commission, Conservation Commission, Bolton Affordable Housing Partnership and other key stakeholders. The committee would obtain more information, further explore this tool, and see how other Towns have enacted and used the CPA.
- **Establish Funds.** Communities must establish a separate fund into which community preservation funds are deposited each year into three respective reserve accounts and one general fund. A recommendation by the Committee and an appropriation by Town Meeting are both required to spend any fund moneys. Funds do not have to be spent each year, but can accumulate.
- **Deed Restrictions.** A permanent deed restriction is required to be placed on any "real property interest" acquired using CPA funds to ensure that the property continues to be used for the applicable CPA purpose. Proceeds from the sale of a CPA property must be deposited in the local CPA fund and may require a two-thirds vote of the Legislature.
- **Ownership and Management Requirements.** The Act further requires that any "real property interest" (e.g. land or buildings) acquired with CPA funds must be owned and managed by the municipality (although management may be delegated to certain municipal agencies and to certain types of non-profit organizations), with limitations.

CPA funds may be used as a municipality's matching moneys for state and federal grant programs that require a local match such as the Massachusetts Housing Partnerships' Soft Second Program, State Department of Housing and Community Development (DHCD) Self-Help program, Massachusetts Preservation Program Fund (MPPF), and the Executive Office of Environmental Affairs (EOEA) Massachusetts Forest Legacy program, Self-Help and Urban Self-Help programs. Applications for Self-Help and Urban Self-Help matching funds through

EOEA receive significantly higher weight if the applying community has already adopted the CPA.

Responsible Entity – The Master Plan Committee, Historical Commission, Conservation Commission, Bolton Affordable Housing Partnership, Bolton Conservation Trust and Board of Selectmen

6.5 Protecting Open Space through Zoning

The Master Plan chapters overlap in many ways. Some of the most important open space strategies are found in **Chapter 9, Land Use**, including an enhancement the FOSPRD Bolton's zoning bylaw that protects open space as part of each housing development. See **Sections 9.5 – 9.6**.

7. COMPATIBLE BUSINESS DEVELOPMENT

Some taxpayers wonder why Bolton does not look to add more business and industry to help shoulder the tax burden. As will be shown below, creating more businesses in Town is not a panacea to reducing the tax burden on residents. Adding commercial taxpayers to the base has minimal impact on the overall burden. The additional tax revenues are often reduced by the need for additional town services and hours to support these growing businesses.

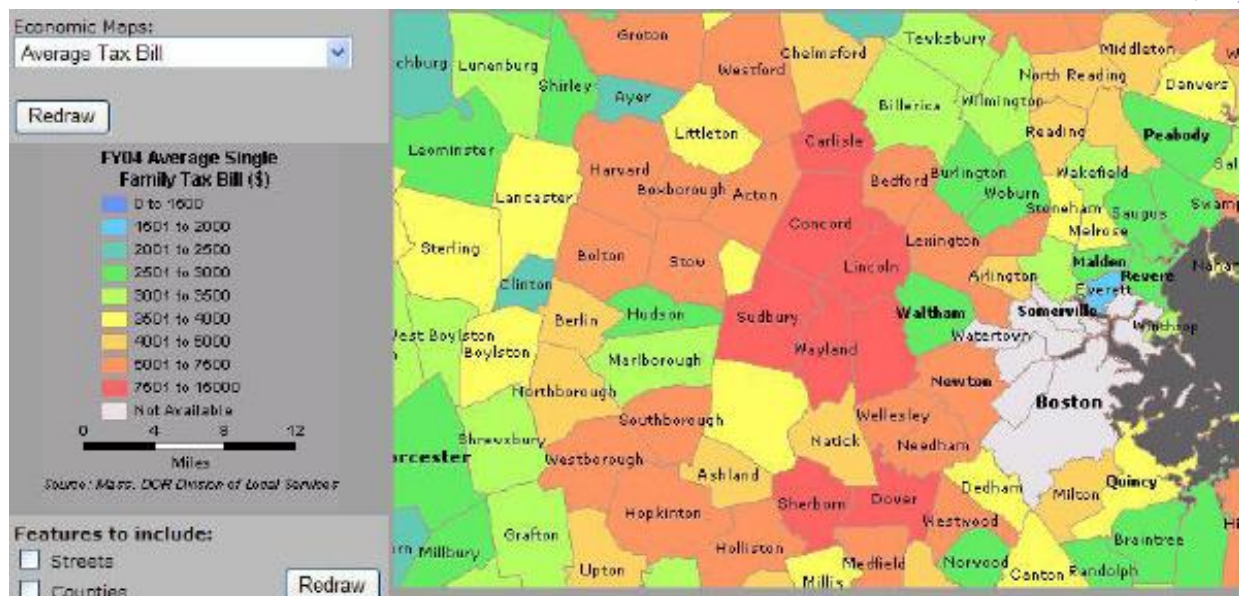
This does not mean to imply that Bolton should discourage business development. The MPC believes that Bolton currently has a sufficient amount of business zoned property that is currently underutilized. This land, coupled with possible future TDR areas documented in Chapter 9, provides space for additional business development appropriate for Bolton. Additional zoning changes are suggested at the end of this chapter to better support business development in existing areas.

Bolton should encourage businesses that are compatible with the existing town character and in line with the types of services that the existing population desires. Most of the studies cited below demonstrate that low impact local businesses are likely to generate more positive tax flow than retail chains, large box stores, or fast food restaurants.

The MPC has found that towns that pursue large scale commercial growth generally do not lower their tax bills, and instead often suffer a reduction in town character and property values with little corresponding impact on tax bills. A comparison of the tax bills in Bolton with those of nearby towns that have aggressively pursued a strategy promoting commercial and business property growth is shown in **Figure 7-1**. Acton, Boxborough, Westborough, Southborough, and Hopkinton all have similar tax bills to those in Bolton, despite having significantly larger commercial tax bases.

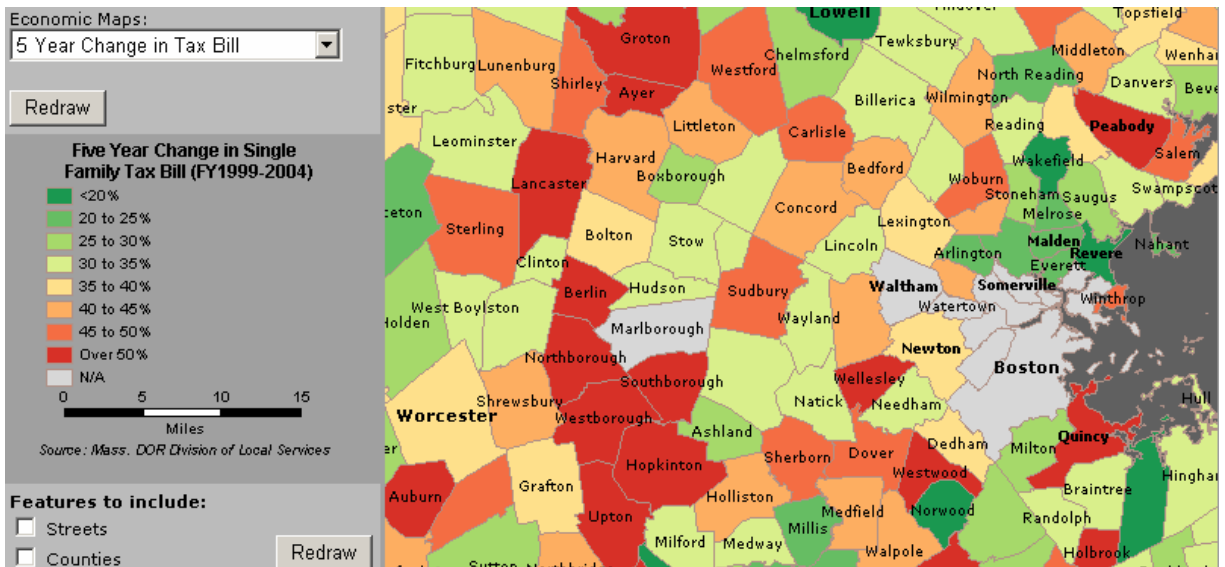
Figure 7-1
Average Single Family Tax Bill (FY 2004)
Boston and Western Suburbs

Source: MassStats, [Map](#)



This contrast is more evident when viewed over 5 years, as shown in **Figure 7-2**. In the 5-year period between 1999 and 2004, many nearby towns aggressively grew their commercial tax bases. Northborough, Westborough, Westford, and others saw significant increase in the size and number of commercial properties and retail blocks in their towns. Yet their tax bills over this 5-year period have remained the same or higher than Bolton's in the same time period.

Figure 7-2
Five-Year Change in Single Family Tax Bill (FY 1999-2004)
Boston and Western Suburbs



Source: MassStats, [Map](#)

Since much of the already existing commercially zoned land in Bolton has yet to be developed, we do not advocate the creation of additional zones or areas at this time. The MPC recommends that the Planning and Select Boards review current site development bylaws for changes that would promote business development consistent with the strategies recommended later in this chapter.

7.1 Supporting Research on the Impact of Business on Taxes

During our research, we discovered many studies that supported advice from the master planning consultants at Daylor. We could not find ones that supported the belief that modest commercial property growth can be a significant (>5%) contributor to tax revenue. Daylor also disagreed with the belief that property tax bills can be greatly reduced through the growth of commercial property in town. The following excerpts from economic research studies support Daylor's opinion. The studies show that it is small, "Main Street" businesses, rather than large commercial entities, which can beneficially impact the town finances.

Final 31 August 06

“One example is retail, where tax revenues may exceed those generated by residential and some other uses, but not enough to outweigh the high-costs of providing services to retail uses.”

Understanding the Fiscal Impacts of Land Use in Ohio

by Randall Gross, Development Economics, August 2004

<http://www.regionalconnections.org/documents/pdf/fiscalimpacts.pdf>

“Big box retail, shopping centers, and fast-food restaurants cost taxpayers in Barnstable, Massachusetts, more than they produce in revenue, according to this analysis. The study compares the tax revenue generated by different kinds of residential and commercial development with the actual cost of providing public services for each land use. The study found that big box retail generates a net annual deficit of \$468 per 1,000 square feet. Shopping centers likewise produce an annual drain of \$314 per 1,000 square feet. By far the most costly are fast-food restaurants, which have a net annual cost of \$5,168 per 1,000 square feet. In contrast, the study found that specialty retail, a category that includes small-scale Main Street businesses, has a positive impact on public revenue”

(Note: The figures above are described in line item detail in the paper. The primary drivers of increased costs are related to traffic, accidents, trash, and increased service hours, with the associated increases in police and town personnel to handle them.)

Fiscal Impact Analysis of Residential and Nonresidential Land Use Prototypes

by Tischler & Associates, July 2002

http://amiba.net/pdf/barnstable_fiscal_impact_report.pdf

“Over the last 12 years, Concord (NH) added 2.8 million square feet of new commercial and industrial development. Yet tax revenue has actually declined by 19 percent. To make up for lost revenue, the town now has one of the highest property tax rates in the state.”

Understanding the Tax Base Consequences of Local Economic Development Programs

by RKG Associates, 2001

<http://www.rkg1.com/pdfs/taxbasemgmt.pdf>

“Many believe that commercial development is a good way to reduce taxes. This sounds reasonable, but is it true? I have looked at the experience of the 23 towns and cities of Fairfield County, Connecticut, ranging from struggling Bridgeport to prosperous

Greenwich. The range of commercial development extends from Weston, which has scarcely any commercial property at all, to Stamford, with its international corporate presence. The data show that commercial development has little effect on tax rates, and a negative effect on property values.”

Commercial Development: Effect on Taxes and Property Values

Robert Kleinberg, Bennett's Farm Road, Ridgefield, Connecticut

<http://www.rosaopenspace.org/news/issues/tax-impact.html>

“Tax rates tend to be higher--rather than lower--in towns that have the most commercial activity. Similar studies in Connecticut, New Hampshire, Maine, and Vermont have found similar patterns: in general, average residential tax bills are higher in municipalities that have the most commercial and industrial development

Long-term Relationship between Development and

Property Tax Bills TPL New England Region report, 1999

http://www.tpl.org/tier3_cdl.cfm?content_item_id=1137&folder_id=827

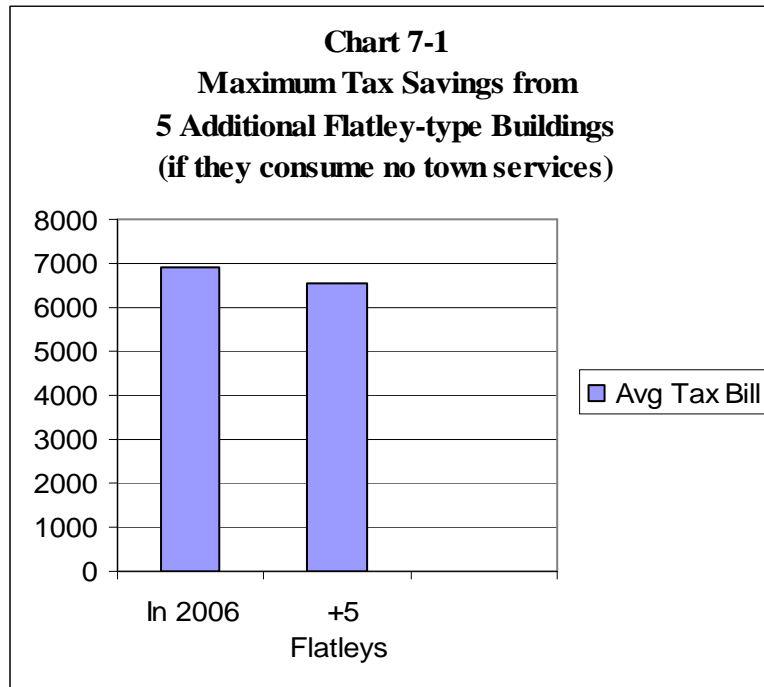
7.2 Estimating the Impact of Commercial Property Growth on Bolton

Based on 2005 tax data, the Flatley building paid approximately \$125,000 in taxes for the year, representing less than 1% of the total town budget of \$14.5M. Assuming no portion of this tax would be used for town services, the town would gain \$125K in tax revenue from this property, or less than 1% (0.86%) of the total town budget.

In order to reduce the average household tax bill by approximately 5%, for example, the town would need to raise \$725K in revenues. For the average household, a 5% tax reduction would be ~\$345, based on an average tax bill of \$6911. Based on a commercial property similar to Flatley contributing \$125K, Bolton would need to add more than 5 similar properties to the commercial base in order to reach \$725K. This is based on a conservative estimate that these properties would consume none of the revenues they contribute.

Where would these buildings go? How would the additional traffic fit into an already overburdened infrastructure? How much larger would our public safety and public service groups need to become to address the service needs?

The MPC does not believe that the relatively small reduction in the average tax bill of \$345 would be worth the impact that nine large commercial facilities would have on the character, traffic, town services, and quality of life in Bolton. The MPC has concluded that increasing tax revenue by adding large commercial buildings or big box stores is a losing proposition for Bolton and is not in alignment with the vision statement of this master plan.



Below you can see current income from several existing commercial properties in Bolton, including The International, the Flatley building, Skinner, and Chelton Microwave. These businesses represent approximately 7.5% of tax revenues. It is interesting to note that several existing homes in Bolton have tax bills similar to, or more than, some of the commercial properties in town.

Chart 7-2

Top Tax Payers in Bolton 2005 Tax Rate \$13.24/K			
<u>taxpayer</u>	<u>05 VALUE</u>	<u>% of Total Value</u>	<u>TAXES \$</u>
International Golf course and residential land	37,425,500.00	4.27%	\$ 495,514
Telephone company	19,276,700.00	2.20%	\$ 255,224
Future Electronics	13,304,700.00	1.52%	\$ 176,154
Office Space (<i>Flatley</i>)	9,454,100.00	1.08%	\$ 125,172
Utility	2,778,945.00	0.32%	\$ 36,793
Residence	2,237,600.00	0.26%	\$ 29,626
Residence	1,703,500.00	0.19%	\$ 22,554
Telephone company	1,611,300.00	0.18%	\$ 21,334
Auction House	1,551,400.00	0.18%	\$ 20,541
Defense Contractor (<i>Chelton Microwave</i>)	1,539,500.00	0.18%	\$ 20,383
Crystal Springs	1,467,600.00	0.17%	\$ 19,431
Residence	1,363,000.00	0.16%	\$ 18,046
Residence	1,335,600.00	0.15%	\$ 17,683

In the future, Bolton should support farms and other businesses compatible with the character of the town and local needs of its growing population. Doing so will allow Bolton to bring in new business without creating a greater need for municipal services.

Bolton's farms and other compatible businesses are a win-win situation, as they reinforce the town's character while helping with the tax burden. Data from the economic studies cited above show that these types of businesses generate the most positive tax flow when all factors are considered. They form local business or "agri-tourism" communities that complement each other, such as when people come to Bolton to pick apples, then visit a farm stand, attend an auction, go to Colonial Candies, or tour the winery. The MPC recommends an Agricultural Preservation bylaw, and the establishment of an Agricultural Commission to provide a voice for the farm community in town government.

The recommended strategies below will help guide this growth.

7.3 Revise Business Zone Setbacks and Dimensions

Our current zoning for Business, Industrial or Commercial use requires a 150' building setback which all but requires that parking be located in front of the building. This not only has the effect of limiting what can be built on many of the business-zoned parcels, but may also result in poor design and an awkward relationship of the building to the street. Additional revisions, such as the amount of impervious area required for parking areas, should also be considered.

Responsible Entity - The Town Planner and the Planning Board should work to revise the Dimensional Schedule as it relates to Business and Commercial lots.

7.4 Encourage Agriculture through an Agricultural Commission

With a goal of promoting and enhancing the agricultural economy in Bolton, the town should work to create an Agricultural Commission. Town Agricultural Commissions are appointed committees that encourage the pursuit of agriculture and help sustain the community's farm businesses and farmlands. Agricultural Commissions work to address local priorities such as agricultural business development, increasing public awareness of the many benefits of agriculture, leadership development, outreach and education to increase the visibility of farms as businesses, and farmland protection. Agricultural commissions also help farmers network with service providers, resolve potential problems in the early stages and encourage political activity. Given the importance of agriculture to Bolton's way of life, an Agricultural Commission should be given a broad and proactive charter and should also function as an ombudsman, working as a liaison between the farming community and the town's boards and committees.

A Handbook for Agricultural Commissions is available online at: <http://www.mass.gov/agr/agcom/index.htm> The website also lists the towns where Agricultural Commissions have been established. As a result of the MPC's suggestion, interested farmers and citizens have been appointed by the Board of Selectmen to propose an Agricultural Commission for approval at Town Meeting.

Responsible Entity – The Board of Selectmen, and interested Farmers and Citizens.

7.5 Establish an Agricultural Preservation Bylaw



Farming and agriculture are integral parts of the Bolton community. The town should pursue a strong Agricultural Preservation Bylaw that will seek to protect farmers from nuisance claims and other unwarranted attacks. The Agricultural Preservation bylaw makes townspeople aware that agricultural activities take place in the town and that the impact of the practice of agriculture is far outweighed by the benefits of farming to the community and society as a whole. This bylaw should apply to the entire town in order to not limit its applicability. See <http://www.mass.gov/agr/docs/farmbylaw.pdf> for the State's Model Right-to-Farm Bylaw.

Young Farmers at the Bolton Fair

As a result of the MPC's suggestion, interested farmers and citizens have been appointed by the Board of Selectmen to develop and propose a Town of Bolton Agricultural Preservation Bylaw for approval at Town Meeting.

Responsible Entity – The Planning Board and proposed Agricultural Commission

7.6 Investigate Tax Incentives for Agricultural Ventures

In data taken from the 2002 Town Survey, town residents clearly indicated that they are not as interested in zoning new land for business use as they are in supporting and growing the agricultural community. As noted throughout this report, the MPC recommends that the town focus on encouraging compatible agricultural activities to build the local economy while maintaining a rural character. The town should seek to investigate possible tax incentives for agricultural ventures that would further that aim.

Responsible Entity – The Board of Selectmen, Town Assessors and the proposed Agricultural Commission

7.7 Promote Agricultural Tourism

The town should work with the Commonwealth, local chambers of commerce, and other organizations to ensure that Bolton's farms have adequate directional signage and are designated on the Agricultural Tourism maps. Signage such as that found along highways and state roads in Vermont would help to promote the agricultural tourism in town. Further, the town should work with local farmers and provide support and assistance when possible. There are a number of agricultural-based tourism ideas that should be actively pursued; presuming that the town's farming community is in agreement.

Responsible Entity - The proposed Agricultural Commission

8. NATURAL AND HISTORIC RESOURCES

In addition to the open space Natural Resources described in **Chapter 6**, Bolton has unique historic and water resources that should be protected for future generations. These resources help retain the small-town character of Bolton and ensure the integrity of the town's water quality and private wells.

Since Bolton's residents rely on private wells for their water supply, it behooves the Town to continue the protection of all wetlands, streams and watershed areas. Many small ponds and streams are already located within conservation land, which helps ensure that watersheds are protected. Residents are fortunate to be able to enjoy some of these untouched places, such as the Nashua and Still Rivers, and Welch Pond.

Bolton evolved as a linear town along the Post Road, now Rte. 117. Historically, the Town Common was located between the Town Hall and the First Parish of Bolton. Bolton's town center is located along Main Street (Rte. 117), roughly between Harvard Road and I-495. The Post Road was a major stagecoach and mail route before the burgeoning rail industry of the 19th century. A number of inns, cottage industries, and civic buildings were erected in this district, including the first meetinghouse, schoolhouse, and Baptist meetinghouse.

In 1998, a Preservation Plan for the Town of Bolton was commissioned by the Historical Commission to help guide the protection of historic resources in town, and to increase public awareness of the importance of these resources. The Preservation Plan is available at http://www.townofbolton.com/Pages/BoltonMA_HistComm/plan. Documents on Bolton History, the Historic District Map and an Archaeological Reconnaissance Survey are also available on the Town of Bolton website. Historical and architectural surveys of every historical resource in Bolton (houses, cemeteries, mill remains, etc.) are available at the Town Hall and will soon be online.

8.1 Create Local Historic Districts



The MPC recommends that a Local Historic District be created in the Town Center area. According to the 1998 Preservation Plan, over two-thirds of the 30 original buildings located in the district in 1831 are still standing and subsequent structures are well integrated with the neighborhood fabric. The area is already designated as a National Register Historic District, but this provides very little protection from demolition of structures. Bolton has enacted a Demolition Delay bylaw (see Town of Bolton Bylaws, sect. 1.17) that requires a six-month review for historical and architectural significance by the Historical Commission before a demolition permit can be issued. A Local Historic District would emphasize the importance of Bolton's historic buildings by deterring demolition after the six-month review, and providing design reviews for new construction or alterations to existing structures within the District.

After the Town gains experience with the first Local Historic District, consider establishing LHDs at the locations listed in the Preservation Plan for the Town of Bolton, beginning with The Pan and East Bolton, both east of I-495, along Route 117. Finally, the MPC recommends that the Historical Commission continue to evaluate other areas and buildings of interest for creation of additional Local Historic Districts.

Responsible Entity- The Historical Commission and Board of Selectmen

8.2 Nominate Structures to State and National Historic Register

The town should nominate structures, areas and landscapes for inclusion on the National and State Historic Register. The National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Listing in the National Register contributes to preserving historic properties in a number of ways:

- Recognition that a property is of significance to the Nation, the State, or the community
- Consideration in the planning for Federal or federally assisted projects
- Eligibility for Federal and State tax benefits
- Qualification for Federal assistance for historic preservation, when funds are available

Inclusion on the State and National Historic Register does not interfere with the private property rights of the structure. The property may be altered or even destroyed if the property owner so chooses. However, there are certain benefits for listing a property: Any government funded project that may affect the historic property requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment. This protects the property from harmful road projects, or other such projects that could negatively affect the property. Further, owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. This credit can be combined with a straight-line depreciation period of 27.5 years for residential property and 31.5 years for nonresidential property for the depreciable basis of the rehabilitated building reduced by the amount of the tax credit claimed. Federal tax deductions are also available for charitable

contributions for conservation purposes of partial interests in historically important land areas or structures.

Responsible Entity- The Historical Commission

8.3 Protect a Future Water Source Site at Bolton Flats

Private wells currently serve Bolton's drinking water needs, and may for generations to come. However, it would be prudent to secure a future Town well site in the event that continued development of the town cause private wells to become unworkable in the future. The Bolton Open Space Plan has identified an excellent possible water source abutting Bolton Flats which taps into its vast underground aquifer. The MPC endorses the protection of this potential site and encourages the Town to fund a study of the town's water resources, and current and future water consumption, to further this effort.

Responsible Entity – The Board of Health, Planning Board, and the Conservation Commission should work with the Board of Selectmen to review the site selection and leverage the funding to secure it.

8.4 Maintain Bolton's Scenic Roads

Most roads in Bolton, with the exception of the main highways, routes 117, 85 and 110, are designated as Scenic Roads. This designation provides some protection for the views that make Bolton unique, including the historic stone walls, stone bridges, dams, and shade trees. The existing scenic roads by-law should continue to be enforced, but further progress can be made in protecting these resources by including their maintenance. The Bolton Conservation Commission addresses maintenance of scenic roads in their 2005 Open Space and Recreation Plan. To help maintain Bolton's scenic roads, the Selectmen are piloting a shade tree program with the objective of replacing aging trees. Trees that must be removed due to disease or other distress will be replaced with new salt tolerant varieties.

Responsible Entity –Historical Commission, Planning Board, Public Works Department and Tree Warden.



Carol Singing at the Historical Society barn

9. LAND USE

This chapter contains suggested revisions and additions to the Town of Bolton Zoning Bylaws to guide and control future development in Bolton. Some add to existing Bylaws and others are new tools to help towns direct growth in ways that benefit or enhance the community.

9.1 Establish Design Review Committee and Guidelines (Non-Residential)

The town should establish a Design Review Committee and create a set of Design Review Guidelines to establish the design criteria of all new signs and commercial projects in the town. Single-family houses would not be subjected to the Design Review or the Guidelines. The Design Review Committee typically reviews the building architecture, building materials, landscape treatments, lighting design and signage of proposed projects with reference to the published Design Review Guidelines. The Design Review Committee then provides an advisory report to the permit granting authority (Planning Board, Zoning Board of Appeals, Building Inspector, etc.).

The Design Review Guidelines are included in a written document that identifies what type of building designs, building materials and landscape treatments are preferred in the town. In Bolton's case, preferred designs would be consistent with the existing rural and historic vernacular. An example of a compatible commercial building design is the structure on the northwest corner of I-495 and 117.

These guidelines could be established through the assistance of a consultant and/or could be created by a citizen task force comprised of land use regulators, business representatives, historical advocates, landscape architects and architects. It is critical that business leaders be involved at the beginning of the process to ensure that the guidelines are fair and reasonable.

In practice, developers appreciate having a set of pre-published design guidelines to assist in the design of their building and site plan. The Guidelines give developers an up-front idea of what the town is looking for and ensures that the Design Review process is as objective as possible. The Design Review process is a complement to the existing Site Plan review process. Site Plan Approval addresses technical criteria such as conformance with zoning, proper drainage and safe access. Design Review focuses on aesthetic criteria. Examples of Design Review Guidelines may be viewed at: http://town.borborough.ma.us/DesignReview_draftMay2004.pdf and <http://www.capecodcommission.org/bylaws/village.html>

Box 9-1: Suggested Elements of Design Review

- Architectural Standards that address building materials, roof lines, windows, facades and other elements.
- Sign standards that give preference to pedestrian scale monument signs rather than tall, highway scale internally lit signage. Materials and lighting should also be addressed.
- Landscape standards that address screening and buffering considerations and give preference to native species.
- Review of impact to Town's character, natural resources and safety.

A Design Review Committee typically consists of five members appointed by the Board of Selectmen (3 appointees), Planning Board (1 appointee), and Historical Commission (1 appointee). Members of the Design Review Committee should include individuals familiar with design, construction, and real estate, such as architects, landscape architects, lawyers, realtors, and contractors.

Responsible Entity –The Planning Board, Town Planner, and Board of Selectmen should work to produce the Design Review Guidelines. The Board of Selectmen, Planning Board, and Historical Commission should appoint their respective members of the Design Review Committee.

9.2 Review the Table of Uses Bylaw

The Planning Board has begun updating the Table of Uses within the Zoning Bylaw. In practice, each type of use presents a different set of issues and impacts. The more generic the Table of Uses, the less capable a town is of appropriately distinguishing between, and planning to manage, the impacts of these uses. For example, all manufacturing and industrial uses are grouped under one definition and are permitted as of right in the Industrial District. Other uses, such as Health Clubs and Shopping Malls are not described or defined, thus leaving interpretation up to the Zoning Enforcement Agent and the Zoning Board of Appeals. A detailed Table of Uses Regulation would take the guess work out of deciding if a particular use is permitted or not and allow the town to manage future growth with more precision. Further, such a table protects the town from uses that may not have been anticipated when the bylaw was originally created.

The current bylaw needs more specific use definitions; it must anticipate and address common uses that are not yet present. These uses should be appropriately defined and added to the Table of Uses, where they should be allowed by special permit where appropriate and prohibited elsewhere. Overly broad and general use definitions only hamper the town's ability to properly guide and manage future growth and to enforce the intent of the bylaw.

In addition to updating the types of Uses, the Planning Board should revisit those that are allowed "as of right" to insure that this designation remains appropriate given existing

development and growth patterns. The MPC believes that a greater emphasis should be placed on the use of special permits to insure appropriate review of the impact of new development on the surrounding neighborhoods. Further, they encourage the town to resist the granting of “use variances” in situations where the statutory requirements for the granting of a variance are not met. The Table of Uses should add more clarity to franchise uses, and limit the size of “big box” stores, as these two are rapidly growing uses in the region.

Responsible Entity - The Town Planner and the Planning Board should work to modernize and update the Table of Uses

9.3 Strengthen Site Plan Review Bylaw

Site Plan Review allows the Planning Board to review site design, lighting, vehicle and pedestrian access, architecture, landscaping, parking, stormwater management and other site features prior to the granting of a permit for the construction of commercial, industrial and multi-family housing developments. Bolton’s current Site Plan Review Bylaw is limited in scope compared to that employed by many other towns and municipalities. Additional review criteria and submittal requirements should be added to strengthen the review process. Further, detailed submittal requirements and review criteria could help to take the “guess work” out of the permitting process and help to foster a fair process.

Box 9-3: Suggested Elements of Site Plan Review

- Enhanced review procedure with pre-application meetings and site visits.
- Enhanced application materials to include documented design process conducted by a registered Landscape Architect showing site constraints, distinctive features, and neighborhood context. Application materials should also include detailed plan requirements so that the requirements of each sheet of the site plan are clear and orderly. The application should also include detailed impact reports for environmental issues, traffic and fiscal impacts and these reports should detail any proposed mitigation.
- Create “Site Plan Regulations” that are referenced in the Bylaw but are similar to Subdivision Rules and Regulations that may be amended by the responsible party from time to time.
- Add notification of abutters, paid for by the applicant.

Responsible Entity-The Planning Board, the Town Planner and the Board of Selectmen should revise the Site Plan Review Bylaw. These changes would need to be approved by Town Meeting. The various land use boards should work together with a consultant to create Site Plan Best Development Practices.

9.4 Create Mixed Use Village Overlay District

In order to meet affordable housing goals and create compatible retail and commercial space (not “strip malls”), a Village Overlay District should be created to enable the creation of village gateways while preserving open space. This district would permit small to moderate economic development uses and residential uses designed in a village setting and scale. This district should be designed to create a small village with strong pedestrian connections, architectural design guidelines, consistent architecture, and small scale structures that service Bolton residents and agricultural tourism.

Over time, the town should introduce and permit the phasing in of residential units in the area, including apartments over first floor commercial structures. Such housing should be designed with town residents in mind, to enhance the sense of community, and should include senior and affordable housing opportunities. Possible locations for a village overlay district include along Rte. 117 by the Stow line; at the Davis Gravel Pit at the corner of Rtes. 110 and 117; and at the Rte. 117/495 off ramps.

Box 9-4: Sample Mixed Use Village Overlay District Standards

- Establish strong design guidelines to further enhance the colonial and small-town style intended for this district.
- Permit economic development uses such as retail, service, and office, but limit the size and bulk of these uses so as to be consistent with village character.
- Allow for “top of shop” housing at a higher density (perhaps 10 units/acre or more). Use Inclusionary Zoning to ensure that at least 10% of all units are affordable to low and moderate income households.
- Set maximum setbacks (fifteen to thirty feet) to allow parking to be to the rear or side of structures.
- Set “as of right” building size (5000 sq ft maximum) and height limitations (two stories maximum) and tie anything beyond these limits to the TDR provisions. Through the use of the TDR the size limits should be able to increase to at least 25,000 sq ft and three stories.
- Create more stringent signage provisions.

Responsible Entity- The Planning Board and Bolton Affordable Housing Partnership should work with the Conservation Commission.

9.5 Improve Bolton’s Farmland and Open Space Planned Residential Development Bylaw (FOSPRD)

One of the most important planning issues in Bolton is the future of the town’s remaining large, undeveloped, unprotected tracts of land. In addition, there are numerous smaller tracts of land that are still large enough to be subdivided, but have not yet been developed. Therefore, the town should have in place a zoning framework to encourage environmentally and aesthetically sensitive development while preserving as much of the open space as possible. Fortunately,

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Bolton already has a type of Open Space Subdivision Bylaw in place in the Farmland and Open Space Planned Residential Development Bylaw (FOSPRD).

The FOSPRD bylaw has resulted in the protection of 233 acres of land in Bolton over the last fifteen years, at no cost to the Town, and projects now in the pipeline will increase that amount to over 300 acres. Many of these protected acres are important blocks of land in themselves, or abut other significant conservation lands to form a larger whole. However, in some cases, the protected land is just the land around the perimeter of the development, as septic and zoning rules require the houses and their septic systems to occupy most of the most desirable open space.

FOSPRD does not reduce the number of houses that can be built on a piece of land in Bolton, it simply affects where the houses are placed on the land. Rather than a conventional subdivision which divides a parcel into an even checkerboard of 80,000 sq ft lots, FOSPRD allows the house lots to be reduced to 1 acre and the remaining land then becomes protected open space. The developer has to present both a conventional and a FOSPRD design for the parcel and the number of homes that fit on the conventional subdivision is what determines the number of homes that can be built in the FOSPRD design. The proposed enhancements to the bylaw described below do not change how many houses can be built on a parcel.

The following suggestions outline steps the town can take to modify its current bylaw to better ensure the preservation of open space. Many of these suggestions are intended to provide the Planning Board with more flexibility to specify the most important open space on the site to protect, and then fitting the houses into the natural topography of the site.

Box 9-5: Suggested Elements of an Enhanced FOSPRD Bylaw

The following are some elements that Bolton may include in the FOSPRD Bylaw to make it attractive to developers and the town, and more likely to create a desirable outcome:

Apply to all 15+ Acre Developments: Today the Planning Board can insist on a (FOSPRD) development on parcels greater than 15 acres that involve building a new road. The requirement for a new road should be dropped, so that all parcels greater than 15 acres would require a FOSPRD development.

Common Septic: Allow a common septic system to serve the development. This is the single most important change, as without it individual septic systems dictate how the land is developed and what land is “left over” for open space. A common septic system does not mean more houses, as the number of houses is first determined by how many conventional lots with individual septic systems could be supported by the parcel in a conventional subdivision.

No One-Acre Minimum Lot Size: Rather than a one-acre minimum lot size, do not require minimum

Box 9-5: Suggested Elements of an Enhanced FOSPRD Bylaw

lot sizes within the Open Space Subdivision except as driven by reasonable setbacks between houses. This maximizes the flexibility of the design process, thus allowing the town and the developer to preserve the best land as open space. Frontage and other requirements should also be flexible to allow for the most sensitive design of the development. As mentioned above with the common septic recommendation, the overall density would not increase on a parcel because the maximum number of houses is determined by a conventional subdivision plan.

Increase Open Space Percentage to 50%: In today's FOSPRD bylaw, a minimum of 33% of the land must be preserved as open space. This minimum should be increased to 50% of the original site. The Planning Board should create detailed open space standards that describe the types of open space that may be included, how it should be arranged within the site, how it should interact with surrounding lands, and how it should be preserved.

Responsible Entity - The Planning Board and Town Planner should work with the Conservation Commission, Bolton Conservation Trust and the Board of Health (with respect to wastewater issues) to develop appropriate amended bylaws, as well as supporting regulations for both the Planning Board and Board of Health.

9.6 Create a Transfer of Development Rights Bylaw

Another possible vehicle for preserving open space is the Transfer of Development Rights (TDR) bylaw. Transfer of Development Rights is a term used to describe a land use regulation whereby the actual development rights of a parcel are purchased and transferred to another parcel. In a TDR, a landowner in a designated open space or protection area of Bolton may sell the "development rights" attached to their land to a developer for use in another area of the town where development had been deemed more appropriate by the Town.

The area where development rights may be purchased is called the sending district. The area where development rights may be transferred and relocated is called the receiving district. For example, one landowner in town owns Bolton's largest orchard as well as a sand pit that abuts a business zone area next to the post office. If the landowner is interested, the town might consider designating a portion of the orchards as sending zones and the gravel mine as the receiving zone. Assuming that property values are equal, the property in the sending district benefits because it receives fair market value for the development potential, and the property becomes permanently protected, which provides certain tax benefits, while the property in the receiving district benefits because it may use the additional development rights to enhance the potential of the parcel. The town benefits because critical open space and agricultural lands are protected at no cost to the town and development occurs in specific areas where the town has

indicated that such development is appropriate. The Conservation Commission's 2005 Open Space and Recreation Plan should be consulted when designating sending districts.

Box 9-6: Suggested Elements of a TDR Program

The following principles should be included in the town's TDR program:

Receiving Districts should include Residential and Commercial areas: The town should institute a more flexible and 'bonus driven' transfer of development rights program that allows the development rights of farmland to be used for both commercial and residential bonuses. Throughout this Master Plan, there are several proposed strategies that describe a type of development that is not currently permitted under the town's zoning code. Such development includes senior villages and mixed use structures. These development types could be explicitly tied to a TDR program to ensure that the only method to permit the increased density inherent with these different bylaws is the TDR program.

Choices for preserving open space: The developer should have an option of transferring density from:

1. another parcel that he or she may own within the sending district;
2. donating off-site, developable open space directly to the town;
3. or donating a town-approved fee in lieu of an open space donation or transfer of development rights.

Dedicated fund: The fees collected as part of the TDR program would be dedicated funds that could only be used to purchase open space or Agricultural Preservation Restrictions, or Conservation Restrictions.

Fair and realistic tradeoffs and bonuses: The town must establish reasonable density incentive provisions. If the town requires too much open space (or too large a payment-in-lieu) in exchange for the right to build bonus housing units, developers will not take advantage of the creative zoning techniques. If the open space requirement is too low, the town will not be realizing the maximum potential to conserve open space. The payment-in-lieu amount per bonus dwelling unit should be set ahead of time by the Planning Board, but may be changed from time to time. The payment-in-lieu should be some percentage of the estimated additional marginal profit that the developer could earn by building each bonus unit.

Responsible Entity - The Planning Board and Town Planner should work with the Conservation Commission and the Bolton Conservation Trust to develop a new bylaw.

10. PUBLIC FACILITIES AND SERVICES



Planning for municipal expansion is a necessary and responsible way to address all the new space needs forced upon Bolton due to continued population growth. In response to growth in the 1980s and 1990s, Bolton built Florence Sawyer School, expanded the regional high school and rehabbed half of Emerson School, but the growth of the student population has led the MPC to recommend that land be bought now for a site for the next school or other municipal facility. In June of 2005, the MPC recommended the formation of

a School Needs Assessment Committee. In the interim, this committee has completed its task and has presented its findings to the Board of Selectmen.

In addition to more school space, the library requires expansion, the town offices have spread beyond the Town Hall, and the police station requires updating. The MPC has not been able to reach consensus regarding the best recommendation for all facility needs. Instead, this report recommends a few leading alternatives for each building. The MPC strongly recommends the formation of a Capital Planning Committee, to be charged with long-term planning of the scope and fiscal feasibility of the various municipal projects currently under consideration. This work should include alternate solutions, including budgetary impact, for consideration by voters.

10.1 Strategic Land Acquisition for Municipal Needs

As discussed further below, if Bolton is to have options for its future schools, municipal facilities, and wastewater needs, land must be acquired to provide for these facilities. Therefore, a first priority is to identify, acquire, and then land bank key properties to allow for these future demands. Potential sites may already be under town control – such as the Cell Tower site (south of 117, west of 495). Private sites that may be considered for acquisition to meet facility needs include the Taggart land on Forbush Mill Road, the Lamson property (near Cell Tower site), and the Powers, Smith and Mardirosian properties, all on Main Street.

Responsible Entity – Board of Selectmen and proposed Capital Planning Committee

10.2 Municipal Facilities

10.2.1 School Facilities Strategic Expansion Options

In order to plan for school expansion, student enrollment must be projected for the next 20 years. In September of 2005, Bolton's Selectmen sponsored a Bolton School Needs Assessment Committee to determine the short and long-term building needs for Bolton's K-8 students. This

committee will determine the amount and type of school space needed and the year in which the need is projected. They will also provide their recommendations on ways to meet these needs. A thorough evaluation of the most cost effective way to meet these needs must follow. There are two primary options to meet the new school needs: renovate Emerson and wait to build a new school, or build a new school in the near term and reuse the Emerson School for Town Hall offices or other municipal use. The MPC recommends that either the School Needs Assessment Committee or an alternate committee consider the options to meet both the school space needs and the Town Hall space needs, and the financial implications of each.

The Bolton School Needs Assessment Committee recommended in May 2006 that the town should meet its next K-8 school space need by renovating the 1952 and 1922 portions of Emerson, and returning them to classroom use for the 2009-2010 school year. They predict that this should provide enough capacity for Bolton's K-8 needs until new construction of a school of about 1400 students in the 2015 to 2021 timeframe.

Option 1- Three School K-8 System:

Option 1 would provide Bolton with a three school system for K-8 students: the Florence Sawyer School (650 existing capacity), an Emerson School with the 1952 section and potentially the 1922 section renovated to increase capacity (up to 385 students), and eventually a new school for 500-600 students.

Recently, Bolton renovated the 1972 portion of the Emerson School, creating new classrooms for up to 225 students. Renovating the 1952 portion of Emerson would bring the total school capacity to 385 students. This strategy would defer the need to construct a new school for some time. Eventually, yet another new school facility would be required to meet continually increasing enrollments. An expansion of Emerson School is an 'interim' measure.

Option 2- Two School K-8 System:

Option 2 would provide Bolton with a two school system for K-8 students: the Florence Sawyer School (650 capacity), and a new school for 650 to 750 students. In this option, the Emerson School would be entirely replaced.

Bolton could begin planning for an entirely new school today with a capacity of 650 to 750 students to meet longer-term projected enrollments. Such a school would open between 2010 and 2015. That new school would both accommodate new enrollment until approximately 2020 to 2025 and replace Emerson School. Florence Sawyer School would remain in operation at its design capacity of 650 students.

Under this option, Emerson School could then be converted for reuse for other municipal purposes – such as a Town Administration Building which would host Town Hall, NRSD Administrative offices, and perhaps additional municipal functions.

Possible sites identified for a new school the Lamson site, abutting the school campus, or the privately-owned Taggart land on Forbush Mill Road.

Responsible Entity – Selectmen and School Needs Assessment Committee

Land Bank a Site for a New School:



Under either of the options discussed above, a new site of approximately 20- 25 acres will be needed, sooner or later, to accommodate a new school. The suitability of unoccupied town-owned property including the Horse Ring site and land behind and beside the Sheep Show Field and Florence Sawyer School should be determined. If those town-owned sites are not viable, a new privately-owned site should be identified and acquired as soon as possible to avoid ever-increasing land sale prices. The

primary privately-owned sites identified to date are the Taggart and Mardirosian properties near the High School on Forbush Mill Road and Main Street, respectively, and the Lamson property, a large parcel abutting I-495 near the cell tower site.

Responsible Entity–Board of Selectmen, proposed Capital Planning Committee, School Building Committee, Conservation Commission, Planning Board and Board of Health.

10.2.2 Establish Permanent School Building & Capital Planning Committees

Establish School Building Committee:

The Board of Selectmen should form the permanent Bolton School Building Committee to finalize the cost benefit analysis of the options to satisfy the school space needs and implement the final recommendations as approved by a town meeting vote.

Establish Capital Planning Committee:

The Board of Selectmen should establish a Capital Planning Committee (CPC) to assess all municipal facility and siting options. This Committee would work with other previously established committees, including those working on the Library and Police Station projects, as well as the Selectmen, Planning Board, and Master Plan committees. The Board of Selectmen will define the roles and responsibilities of the CPC, which may include assessment of the interrelationships amongst projects, analyzing debt service, and prioritizing municipal projects.

Responsible Entity – The Board of Selectmen should formally appoint and establish these committees.

10.2.3 Police Station

The Police Station is currently housed in the Houghton building on Main Street. This historic building was originally a school, was then used as town offices and, since 1994 has served solely as a police station. Although the station is an attractive one, it is one of the smallest in the area and various elements are not consistent with or compliant with current law enforcement standards and “best practices.” Previous Police Station facility study committees and task forces have determined that the current facility is inadequate and that a new facility to include a holding cell, a secure booking area out of public view, heated and secure car garage and work-out area with locker rooms is needed. The Police Department has prepared plans for a new 6,500 square foot facility to be located preferably in the public view. Several siting options include:



Site Option 1 - Cell Tower Site:

The Police Station task force’s preferred site is at the town’s Cell Tower site which would provide more than sufficient room and good access to Route 117 and I-495. This site is currently encumbered with uncertain septic possibilities. The septic issue may be resolved at the completion of the installation of the new wastewater treatment facility in the vicinity of the Florence Sawyer and Emerson schools.

Site Option 2 – Smith Property:

An alternative site choice is at the rear of the Smith property on Main Street if the Smith property is acquired by the Town. This site would provide sufficient room and retain the Police Station in the center of town to help reinforce an active Town Center. Easy access in and out of the Smith property to Route 117 may be difficult unless the intersection is improved and traffic signals installed.

Site Option 3 - Fire Station Site / Combined Public Safety Building:

A new Police Station could be constructed on Wattaquadock Hill Road, adjoining the existing Fire Station to create a Public Safety complex. The two functions could share common facilities such as the dispatcher, conference rooms, employee lounge, training room, locker rooms, and restroom facilities. Due to police security issues, questions have been raised as to how many functions could actually be shared. Again, access to Route 117 may be considered difficult, unless the intersection of Main Street and Wattaquadock Hill Road were improved and traffic signals installed.

Site Option 4 - Town Administration Building / Police Station at Emerson School Building:

If the Emerson School were no longer a school building as part of Bolton's school facility expansion program, there may be sufficient space to accommodate all the Town Hall functions as well as a Police Station.

The disadvantage of this option is that the future of the Emerson School is not now known; and, even if it were converted to a "Town Administration Building / Police Station" in the future, it would not be available for such use for at least another five or more years. Also, the Police Department has expressed reservations about this option due to possible safety conflicts between patrol cars entering and exiting the site and school children at the nearby Florence Sawyer School.

Responsible Entity- Board of Selectmen, proposed Capital Planning Committee, and advice of the Police Department

10.2.4 Library

The Library is a stone building given with specified use as a library to the town by the Whitney sisters in memory of their father in 1903. Now over 100 years old, it is attractive but has become outdated and inadequate in size. The Library Trustees have developed a plan for an expanded 13,000 square foot facility at the present Library site based on a needs assessment of the Library's current and anticipated needs of a target population of 7,500 residents. The existing historic building would be renovated and a two-story expansion would be added to the east side and rear of the existing Library.



Assessment of the existing library identified a shortage of storage space and a reading room insufficient in size to meet the needs of Bolton's population in accordance with state standards. Additionally, from surveys of its patron community, the Library Committee identified a strong desire to provide more than just a collection of books. The Library's patron base desired a facility that is a 'destination and place to go for activities – lectures, readings, exhibits, classes, meetings ... a community living room'.

As a result, the Library's expansion plan includes meeting and multi-purpose space designed to accommodate up to 75 people. . It is proposed that the Library's septic fields would be located on adjoining Fire Department property at the rear of the Fire Station.

The November Special Town Meeting vote narrowly defeated the 13,000 square foot expansion, even with a state matching grant on the table for its construction. The library Trustees obtained an extension of the grant from the state and increased the amount of pledges for donations. At

the May 2006 Annual Town Meeting, and subsequent Proposition 2 ½ ballot question, the town voted to proceed with the proposed library addition and renovation project. As the project moves forward, the Capital Planning Committee needs to carefully assess the town's debt capacity and timing of other capital expenditures.

Responsible Entity- Library Trustees, Board of Selectmen and proposed Capital Planning Committee

10.2.5 Town Hall

Town Hall was built in 1853, replacing the original structure that was destroyed by fire. A two-story addition was added to the back in 1914. The first floor was renovated in 1972. In 1992, the second floor was remodeled to house the Town Offices. At present, Town Hall lacks an elevator, does not have a state-required records storage vault, and lacks sufficient meeting space. Office space is insufficient and some town hall staff are now located off-site in the 1922 wing of Emerson School. This dispersal of staff hinders communication between staff members and complicates public access to Town Hall services.

Site Option 1- Additional Space at Town Hall Site:

An addition to the Town Hall would be required to meet all these space demands and should include some space for expansion. Although there is adequate town-owned acreage at the Town Hall site, the hilly and rocky terrain poses a challenge for the location of an addition. The First Parish Church has expressed interest in developing shared parking space with the Town Hall, including some on church land. With Town Hall use primarily on weekdays and First Parish use primarily on weekends, this could be a beneficial partnership. The existing level parking area behind the Town Hall could then be used for an addition or annex.

Site Option 2- Move Town Hall to Renovated Space:

Alternatively, Town Hall functions might be relocated in their entirety to a new 'Municipal Building' if a site or building can be identified. One possibility is the Emerson School as a possible site for Town Hall functions. The 1998 Building Space Use Committee report indicated that the Emerson School could comfortably house all the town hall offices and storage. However, the Bolton School Needs Assessment Committee has recommended that the 1922 and 1952 sections of Emerson School for renovation for educational use. The MPC recommends that the Capital Planning Committee oversee a thorough evaluation of the optimum way to reconcile the needs of the Town Hall and additional school space.

Responsible Entity- Proposed Capital Planning Committee and advice of Town Hall employees

10.2.6 Community, Senior and Teen Center

With the completion of Bolton's first senior housing facility, the Senior Center was moved from the Town Hall to the new facility, Bolton Country Manor. Parking has been a serious problem and the senior citizens have expressed an interest in programs and facilities that exceed the

available community space at Bolton Country Manor. As Bolton's population ages and as additional over-55 housing is built in town, the needs for senior facilities, services (such as transportation to shopping and the like), and activities are likely to increase.

At the MPC public meeting, many residents expressed interest in developing areas in Bolton that



will help create a greater sense of community, i.e. a gathering place. The MPC suggests that the Capital Planning Committee assess the cost and potential benefit of creating a Community, Senior Center and Teen Center in the Emerson building once it is no longer serving as a school, or in either the Houghton building or Town Hall if these facilities are vacated by their current occupants. The town should consider the need for facilities for these groups when building or renovating municipal spaces.

Responsible Entity – Board of Selectmen, Council on Aging, and proposed Capital Planning Committee

10.2.7 Playing Fields

Bolton's recreational fields are overseen by the Parks and Recreation Committee (P&R) and maintained by Bolton's Department of Public Works (DPW). The P&R coordinates field usage for public events and organized sports groups. P&R does not collect any funding from private groups in order to use the fields.

The current inventory of playing fields is: Memorial Field (baseball, softball, volleyball, basketball, playground), Forbush Mill Field (soccer, Ultimate Frisbee), Derby Field (soccer, lacrosse), Emerson Field (soccer and lacrosse practice, T-ball), and the Cell Tower Field (lacrosse practice). Some Bolton youth sports organizations also utilize the facilities at Nashoba Regional High School when available. In addition to private group and camp use, Derby, Emerson and Memorial fields are used for recess and school sports.

As Bolton's population increases and interest in team sports continues to grow, the demand for additional playing fields will continue to increase. Likewise, as the enrollment at the schools grows, the need will increase for space for physical education, recess and school sports. During the height of the Spring and Fall seasons there is not enough field space to fully meet the requests received by the P&R. Soccer and lacrosse programs are gaining popularity; these games require sizable areas for their regulation fields. There is a short-term need for an additional full-size baseball diamond and a multi-purpose field sized to accommodate a regulation lacrosse field.

Responsible Entity - Parks and Recreation Commission and the proposed Capital Planning Committee



Soccer game at Forbush Mill field



Bolton Town Beach

10.3 Wastewater Solutions

In 2005, the town of Bolton entered into a revised administrative consent order with DEP to develop an appropriate wastewater treatment plant to serve Florence Sawyer and Emerson schools. In August 2005, the Selectmen appointed a Wastewater Treatment Plant Committee to oversee the project and competitively hired an engineering firm to design the wastewater treatment plant. A timeline was agreed to with DEP that calls for completion of the installation of the treatment plant by April 2008 and the project is currently on schedule. The leach field for the wastewater treatment plant will be located on the northeast portion of the “sheep show” field with the building housing the treatment equipment nearby, away from wetlands but situated to maximize the size of post-construction playing fields at the site. The building is expected to be about 30 feet by 30 feet. Testing during April 2006 found that the leach field will support 25,000 gallons per day. This is considerably more than twice what DEP approved for Florence Sawyer and current (no kitchen or showers) Emerson Schools, which means additional school capacity can be added in the area.

At the May 2006 Annual Town Meeting, and subsequent Proposition 2 ½ ballot question, the town voted to proceed with the funding to design and construct the wastewater treatment plant project. The treatment plant is an important addition to the school campus because without it, there would be no possibility of any additional school space, even at a renovated Emerson School.

Responsible Entity – Board of Selectmen, Wastewater Treatment Plant Committee, Advisory Committee and proposed Capital Planning Committee

11. TRANSPORTATION

11.1 Traffic Safety along Route 117

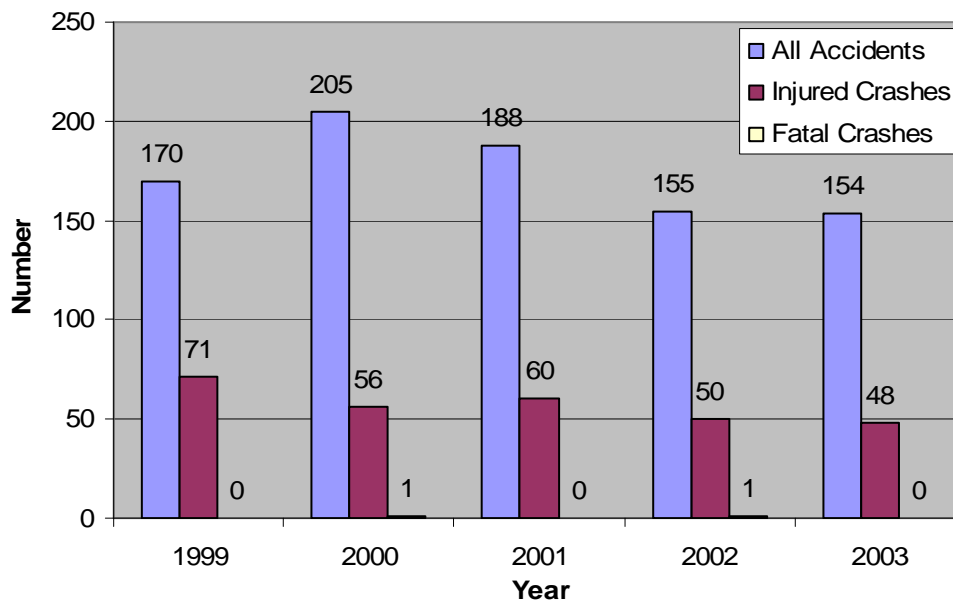
Bolton's location on a major commuting route is a prime reason for the housing growth in town and for the increased traffic that comes with new development. The town is situated directly along Interstate 495, with an exit at Route 117, also known as Main Street, the primary road that travels through town. According to the Massachusetts Highway Department, approximately 94,000 cars travel along I-495 through Bolton and the road has not yet reached capacity. Consequently, this area is appealing to businesses and developers and may be one reason why Bose located its new facility in Stow not far from this exit ramp. At a primary intersection in town, Main Street at Wattaquaddock Hill Road, approximately 23,800 vehicles travel daily along Main Street east of Wattaquaddock Hill Road and 19,100 vehicles travel west of it. The amount of traffic traveling through town leads to backups at the traffic lights located at the ramps to I-495. Traffic flow may be mitigated by adding lights at the intersection of Main Street with Manor Road and Harvard Road and other intersections along Rte. 117.

The increased amount of traffic also poses a safety issue for other drivers and pedestrians, specifically along Main Street. In October 2002, the town's Main Street Safety Task Group published a report of its findings. The results indicated that Bolton has a number of issues with safety that need to be addressed. The main concern was the speed limit along Route 117 through Bolton compared with the allowed speeds in neighboring towns along this state route. The predominant speed on Route 117 in Bolton is 45 mph, whereas in Lancaster it is 35 mph and in Stow it is 40 mph. The only length of the road in Stow or Lancaster that allows drivers to travel 45 mph is the short section before their borders with Bolton. In addition, the only place along the entire route from Leominster to Waltham where drivers are allowed to travel 50 mph is the stretch between Long Hill and Meadow roads in Bolton. In fact, it is rare to find a 50 mph zone anywhere in the region other than on divided highways. For the most part, the speed limits on Route 117 have been determined by speed measurements approved by the state highway department. In theory, the speed limit is the 85 percentile speed in different sections of 117.

The success of the Main Street Safety Task Group led to the formation of a Public Ways Safety Committee that broadened its traffic and safety concerns to all roads in Bolton. The Public Ways group, working with the Police Department and DPW, has made recommendations for all way stop signs and other safety improvements at problem intersections.

Speed leads to the number one safety issue with regard to traffic, which are accidents. According to Mass Highway, Bolton averaged 174 crashes per year between 1999 and 2003. The peak year was 2000, with 205 crashes; in 2003 there were 154 accidents in town (see **Chart 11-1**). While this data does not specify which accidents involved pedestrians, it does indicate how many accidents resulted in injuries or fatalities. While fatalities are rare, with only two occurring in those five years, injuries are more common. About 33% of all crashes in these years resulted in injuries. With safety being a primary concern for all residents and visitors to Bolton, the town should focus on strategies that will slow down and monitor traffic more effectively.

Chart 11-1
Crash Inventory (1999-2003)
Bolton



Source: Mass Highway

11.2 Improve Pedestrian Safety along Route 117

Along the length of Route 117, where appropriate, pedestrian connections should be strengthened and the pedestrian environment improved with sidewalks, trees, landscaping, and signaled pedestrian crossings. A traffic study with an eye on pedestrian and bicycle safety should be conducted to bolster the town's ideas and policies when they go before MassHighway. Specific intersections that should be studied include Wattaquodock Hill Road and Route 117, Mechanic Street and Route 117, and Green and Forbush Mill roads with Route 117 at the High School.

As part of its development plans and permits in Stow, the Bose Corporation is required to install traffic signals at the northbound ramps of I-495. One of the objectives is to reduce or eliminate the back up onto the I-495 roadway of traffic going onto Route 117. During 2006 the town will be working with Bose to design the traffic signal and related improvements. The effects of traffic on Route 117 need to be part of any development planning, particularly business that occurs near I-495 and other intersections in Bolton. There are no easy solutions to traffic problems, but congestion and safety affect the quality of life in Bolton, even if the majority of the traffic is commuters passing through town.

Responsible Entity- The Board of Selectmen, the Public Ways Safety Committee, the Police Department, and the Department of Public Works

11.3 Enhance Requirements for Traffic Impact Statements and Mitigation

The town needs to monitor the traffic safety and traffic impacts resulting from new developments. Without these measures in place, the town cannot control and monitor the traffic growth and vehicle delays that may further deteriorate traffic safety, impact remaining (excess) roadway capacity and destroy the rural character of the town.

The town should create a more detailed Traffic Impact Assessment process to be used by Permit Granting Authorities. This process would be used for Site Plan review as well as Subdivision Review. The purpose of the process is to ensure consistency in the review of traffic-related issues generated by development plans submitted to the town.

Box 11-3: Traffic Impact Assessment

[1] Purpose: To document existing traffic conditions (both vehicular and pedestrian) in the vicinity of the proposed project, to describe the volume and effect of projected traffic generated by the proposed project, and to identify measures proposed to mitigate any adverse impacts on traffic.

[2] Applicability: Projects with one or more of the following characteristics shall prepare a Traffic Impact Assessment: 1) proposing thirty (30) or more parking spaces, 2) proposing a Vehicular Service Establishment, 3) containing frontage and access on a state road. The Board or town staff may request any applicant to prepare a Traffic Impact Assessment even if the project does not meet any of the above criteria.

[3] Qualifications: Author of the Traffic Impact Assessment shall be a certified traffic engineer.

[4] Format and Scope:

(i) Existing traffic conditions: average daily and peak hour volumes, average and peak speeds, sight distances, accident data, and levels of service (LOS) of intersections and streets likely to be affected by the proposed development. Generally, such data shall be presented for all streets and intersections adjacent to or within 1000 feet of the projected boundaries, and shall be no more than six (6) months old at the date of application. Further, information regarding existing pedestrian circulation and ways shall be provided.

(ii) Projected traffic conditions for design year of occupancy: statement of design year of occupancy, background traffic growth on an annual average basis, impacts of proposed developments which have already been approved in part or in whole by the Town.

(iii) Projected impact of proposed development: projected peak hour and daily traffic generated by the development on roads and ways in the vicinity of the development; sight lines at the intersections of the proposed driveways and streets; existing and proposed traffic controls in the vicinity of the proposed development; proposed pedestrian ways and design elements to maximize pedestrian safety and usage; and projected post-development traffic volumes and LOS of intersections and streets likely to be affected by the proposed development.

(iv) Proposed measures to minimize traffic conflict and mitigate any affected intersections or ways. These measures should follow current traffic-calming techniques, and should not rely on road widening or other methods that will detract from the scenic by-ways.

Responsible Entity- The Board of Selectmen, the Planning Board, Public Ways Safety Committee and the DPW

11.4 Bicycle Transportation Improvements

Given the increase in bicycling as a form of recreation and renewed interest in bicycling as a form of transportation during the recent rise in gasoline prices, the MPC suggests a study be undertaken to investigate the establishment of bicycle routes through Bolton and connections with regional rail trail and other bicycle facilities

Responsible Entity- The Board of Selectmen, the Planning Board, Town Planner and Public Ways Safety Committee

12. IMPLEMENTATION PLAN

The Implementation Plan is a step-by-step guide for Bolton to follow over the next fifteen years to ensure that the Master Plan recommendations are put into action. Implementing the Master Plan will require a concerted and ongoing effort on the part of the town's elected and appointed officials, volunteers and dedicated citizens. The actions that the town takes now will create a lasting legacy for future generations. Implementing the Master Plan is the best way to ensure that Bolton will continue to be a desirable community in which to live, work, and play five, ten, twenty and even fifty years into the future.

Implementation is a critical step in the Master Plan process. As shown by the recent SJC decision on the Town of Hadley's Phased Growth Bylaw, failure to implement recommendations of a Master Plan has significant legal consequences. Failure to implement this plan would have serious impacts on planning and growth in Bolton and all efforts should be made to advance the implementation of the Plan's strategies.

The Implementation Plan is divided into two components. The first part is the Implementation Action Plan, which identifies the group or groups responsible for implementing each Master Plan recommendation as well as the approximate timeline for action. The second component is an Evaluation Form, a template designed to help the town keep track of the progress being made on each recommendation.

Planning is a fluid process and requires a community to continually evaluate and respond to events and challenges, as well as changes in the goals and desires of its residents. This Master Plan has a planning horizon of approximately 15 years: that is, planning needs are evaluated and recommendations are made based on their projected benefit over the same timeline. However, the Implementation Plan only has a six-year timeframe in the sense that most of the Master Plan recommendations are targeted to be implemented (or least commenced) within six years. After about five years (around 2010), Bolton should revisit the Master Plan to determine whether its goals and general strategies are still appropriate to the town. A full re-write of the Master Plan will not be necessary at this time, but the town should facilitate a public review of the document, modify the goals and strategies as necessary, and prepare a new Implementation Plan for the subsequent six years. The town should consider preparing a new Master Plan after 15 years (around 2020), at which time conditions in the town will probably have changed substantially and a new plan will be needed to address the challenges that these conditions present.

12.1 Implementation Action Plan

The Implementation Action Plan summarizes all of the Master Plan recommendations in a matrix format that identifies the approximate timeline and the group(s) responsible for implementing each one. The recommendations are divided according to the chapter in the master plan that is addressed. Most of the actions will cost little or no money to implement because they can be brought about by Town Meeting vote or other action to change local policies. In some cases, the town may need to devote staff resources or hire an attorney or consultant to assist with this

process (e.g., to help prepare zoning changes). The Town Planner may take the place of a consultant in many of these recommendations. Some of the actions that involve facility or infrastructure improvements will require the expenditure of funds, which may come from the town, the state, and/or other sources.

In the “Timeframe/Priority” column of the Action Plan matrices, actions are classified as either “Immediate” (indicating action within 12 months), “Short-Term” (indicating action within 12-24 months), “Middle-Term” (indicating action within 2-4 years), “Long-Term” (indicating action within 4-6 years), or Ongoing (indicating action that should be continually repeated as necessary). A priority designation is also given to each Action Plan item indicating “high”, “middle” or “low priority.” All items and strategies within this Master Plan are important however, and the priority designation is simply a means to prioritize generally among all the actions contained within the plan. A handful of actions that require state involvement and/or major capital expenditures may require more than six years to complete.

Many strategies are linked to one another, requiring much effort in the early phases to lay the groundwork for future progress. The feasibility of implementing certain strategies will be dependent on the town’s ability to set the foundation with a number of the shorter-term strategies and allow the longer-term strategies build from those efforts.

12.1.1 Implementation of the Master Plan

Upon the acceptance of this Master Plan, the Master Plan Committee recommends that, in lieu of a Master Plan Implementation Committee, the Board of Selectmen (BOS) hold twice-yearly special meetings, involving all boards and committees listed as “Responsible Entities” in this Plan. At these meetings, the BOS should facilitate communication between the various boards, assess progress made on Master Plan strategies, and review priorities and milestones for future goals and actions. The BOS should be responsible for making sure that the action items identified in this Master Plan are being implemented in a timely and organized manner. Other duties include:

- Asking for interim updates from the boards and commissions responsible for implementing the strategies as identified in the Implementation Plan.
- Working with key Boards to help involve the public in the implementation process.
- Coordinating efforts with the Advisory Committee, Planning Board and proposed Capital Planning Committee.
- Facilitating the hiring of consultants, as necessary, to assist with the implementation.

Responsible Entity- The Board of Selectmen, in conjunction with the Advisory Committee, Planning Board, and proposed Capital Planning Committee, working with all Town Boards and Commissions listed as Responsible Entities in this Master Plan.

12.2 Evaluation Program

The Evaluation Program is a tool to help the Town measure the success of the Master Plan recommendations (once they have been implemented) in relation to the goals established by the community. The Evaluation Program is also a way for the town to revisit the Master Plan three, five, or even ten years into the future and take stock of new challenges and opportunities. In this way, the town can keep the Master Plan current without undertaking a complete re-write of the document every few years. The following page can be photocopied, modified for each specific goal, and filled out every few years by the MPIC as a concise summary of the successes and failures toward meeting each of the Master Plan goals.

APPENDIX: REFERENCE LINKS

Town of Bolton Website

<http://www.townofbolton.com>

Results of Town of Bolton Survey (2002)

http://www.townofbolton.com/Pages/BoltonMA_Planning/LRPC%20Survey%20Report%20-%20final.pdf

Town of Bolton Bylaws. May 2004

http://www.townofbolton.com/pages/BoltonMA_Clerk/Bolton%20Bylaws%20May%202004%20web.pdf

Massachusetts Statistics on a variety of issues and topics

www.massstats.com

Chapter 5: Bolton's Affordable Housing Plan and updates

http://www.townofbolton.com/Pages/BoltonMA_Housing/index

Chapters 5, 6, & 8: Community Preservation Act (CPA)

www.communitypreservation.org

Chapter 6: Bolton Conservation Commission Open Space & Recreation Plan

http://www.townofbolton.com/pages/BoltonMA_Conservation/Open_Space

Chapter 6: Transfer of Development Rights Program bylaw of Plymouth, Massachusetts

Look under "Smart Growth Planning Tools Workshop" at:

http://www.essexcountyforum.org/tools_resources/model_bylaws_regulations.html

Chapter 7: Trust for Public Land article on Development and Property Tax Bills

http://www.tpl.org/tier3_cdl.cfm?content_item_id=1137&folder_id=827

Chapter 7: A Handbook for Agricultural Commissions

<http://www.mass.gov/agr/agcom/index.htm>

Chapter 7: Model Right-to-Farm Bylaw

<http://www.mass.gov/agr/docs/farmbylaw.pdf>

Final 31 August 06

Chapter 8: Preservation Plan for the Town of Bolton (summary)

http://www.townofbolton.com/Pages/BoltonMA_HistComm/plan

Chapter 9: Town of Boxboro Design Review Guidelines at:

http://town.boxborough.ma.us/DesignReview_draftMay2004.pdf

Chapter 9: Village-Style Development Bylaw/Ordinance; Barnstable County, MA

<http://www.capecodcommission.org/bylaws/village.html>



Bolton's Winter Carnival



BOLTON MASTER PLAN

Town of Bolton, Massachusetts
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